

servance bill, so called; to the Committee on the District of Columbia.

3646. Also, petition of George Gowell and 52 other residents of Battle Creek, Mich., protesting against the passage of Senate bill 3218, the Sunday observance bill, so called; to the Committee on the District of Columbia.

3647. Also, petition of Charles Pritchett and 16 other residents of Battle Creek, Mich., protesting against the passage of Senate bill 3218, the Sunday observance bill, so called; to the Committee on the District of Columbia.

3648. Also, petition of L. F. Westfall and 22 other residents of Hillsdale County, Mich., protesting against the passage of Senate bill 3218, the Sunday observance bill, so called; to the Committee on the District of Columbia.

## SENATE

WEDNESDAY, February 4, 1925

(Legislature day of Tuesday, February 3, 1925)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10724) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1926, and for other purposes; that the House has receded from its disagreement to the amendments of the Senate Nos. 8, 15, and 23 to the said bill; and that the House had receded from its disagreement to the amendment of the Senate No. 25 and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message also communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. SIDNEY E. MUDD, late a Representative from the State of Maryland.

The message further communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. EDWARD C. LITTLE, late a Representative from the State of Kansas.

### ENROLLED BILLS SIGNED

The message further announced that the Speaker of the House had affixed his signature to the following enrolled bills, and they were thereupon signed by the President pro tempore:

H. R. 26. An act to compensate the Chippewa Indians of Minnesota for lands disposed of under the provisions of the free homestead act;

H. R. 1326. An act for the relief of Clara T. Black;

H. R. 1717. An act authorizing the payment of an amount equal to six months' pay to Joseph J. Martin;

H. R. 1860. An act for the relief of Fannie M. Higgins;

H. R. 2258. An act for the relief of James J. McAllister;

H. R. 2313. An act authorizing the issuance of a patent to William Brown;

H. R. 2806. An act for the relief of Emil L. Flaton;

H. R. 2811. An act to amend section 7 of the act of February 6, 1909, entitled "An act authorizing the sale of lands at the head of Cordova Bay, in the Territory of Alaska, and for other purposes";

H. R. 2958. An act for the relief of Isaac J. Reese;

H. R. 2977. An act for the relief of H. E. Kuca and V. J. Koupal;

H. R. 3348. An act authorizing the Secretary of the Treasury to pay a certain claim as the result of damage sustained to the marine railway of the Greenport Basin & Construction Co.;

H. R. 3387. An act authorizing repayment of excess amounts paid by purchasers of certain lots in the town site of Sanish, formerly Fort Berthold Indian Reservation, N. Dak.;

H. R. 3411. An act for the relief of Mrs. John P. Hopkins;

H. R. 3595. An act for the relief of Daniel F. Healy;

H. R. 3913. An act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States;

H. R. 4280. An act for the relief of the Chamber of Commerce of the City of Northampton, Mass.;

H. R. 4290. An act for the relief of W. F. Payne;

H. R. 4374. An act for the relief of the American Surety Co. of New York;

H. R. 4461. An act to provide for the payment of certain claims against the Chippewa Indians of Minnesota;

H. R. 5096. An act to authorize the incorporated town of Sitka, Alaska, to issue bonds in any sum not exceeding \$25,000 for the purpose of constructing a public-school building in the town of Sitka, Alaska;

H. R. 5423. An act to amend section 2 of the act of August 1, 1888 (25 Stat. L. p. 357);

H. R. 5448. An act for the relief of Clifford W. Seibel and Frank A. Vestal;

H. R. 5752. An act for the relief of George A. Petrie;

H. R. 5762. An act for the relief of Julius Jonas;

H. R. 5774. An act for the relief of Beatrice J. Kettlewell;

H. R. 5819. An act for the relief of the estate of the late Capt. D. H. Tribou, chaplain, United States Navy;

H. R. 5967. An act for the relief of Grace Buxton;

H. R. 6303. An act to authorize the governor and commissioner of public lands of the Territory of Hawaii to issue patents to certain persons who purchased Government lots in the district of Waiakea, island of Hawaii, in accordance with act 33, session laws of 1915, Legislature of Hawaii;

H. R. 6328. An act for the relief of Charles F. Peirce, Frank T. Mann, and Mollie V. Gaither;

H. R. 6660. An act for the relief of Picton Steamship Co. (Ltd.), owner of the British steamship *Picton*;

H. R. 6755. An act granting six months' pay to Maude Morrow Fechteler;

H. R. 7239. An act authorizing the Secretary of the Interior to pay certain funds to various Wisconsin Pottawatomi Indians;

H. R. 7249. An act for the relief of Forrest J. Kramer;

H. R. 7399. An act to amend section 4 of the act entitled "An act to incorporate the National Society of the Sons of the American Revolution," approved June 9, 1906;

H. R. 8086. An act to amend the act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1915," approved August 1, 1914;

H. R. 8258. An act for the relief of Capt. Frank Geere;

H. R. 8329. An act for the relief of Albert S. Matlock;

H. R. 8727. An act for the relief of Roger Sherman Hoar;

H. R. 8893. An act for the relief of Juana F. Gamboa;

H. R. 8965. An act for the relief of the Omaha Indians of Nebraska;

H. R. 9138. An act to authorize the discontinuance of the seven-year regauge of distilled spirits in bonded warehouses, and for other purposes;

H. R. 9162. An act to amend section 128 of the Judicial Code relating to appeals in admiralty cases;

H. R. 9380. An act granting the consent of Congress to Board of County Commissioners of Aitkin County, Minn., to construct a bridge across the Mississippi River;

H. R. 9327. An act to extend the time for the construction of a bridge across the Rock River in the State of Illinois;

H. R. 10030. An act granting the consent of Congress to the Harrisburg Bridge Co., and its successors, to reconstruct its bridge across the Susquehanna River, at a point opposite Market Street, Harrisburg, Pa.;

H. R. 10150. An act to revive and reenact the act entitled "An act to authorize the construction of a bridge across the Tennessee River at or near the city of Decatur, Ala.," approved November 19, 1919;

H. R. 10645. An act granting consent of Congress to the Valley Bridge Co. for construction of a bridge across the Rio Grande near Hidalgo, Tex.;

H. R. 10688. An act granting the consent of Congress to the State of North Dakota to construct a bridge across the Missouri River between Williams County and McKenzie County, N. Dak.;

H. R. 10689. An act granting the consent of Congress to the State of North Dakota to construct a bridge across the Missouri River between Mountrail County and McKenzie County, N. Dak.;

H. R. 11036. An act extending the time for the construction of the bridge across the Mississippi River in Ramsey and Hennepin Counties, Minn., by the Chicago, Milwaukee & St. Paul Railway Co.; and

H. R. 11501. An act for the exchange of land in El Dorado, Ark.

## NAVY DEPARTMENT APPROPRIATIONS

Mr. HALE. I ask the Chair to lay before the Senate the action of the House of Representatives on House bill 10724.

The PRESIDENT pro tempore. The Chair lays before the Senate the action of the House of Representatives on the bill which the clerk will read.

The reading clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES,  
February 3, 1925.

*Resolved*, That the House recedes from its disagreement to the amendments of the Senate Nos. 8, 15, and 23 to the bill (H. R. 10724) entitled "An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1926, and for other purposes," and concur therein.

That the House recedes from its disagreement to the amendment of the Senate No. 25, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment insert the following: "The President is requested to invite the Governments with which the United States has diplomatic relations to send representatives to a conference to be held in the city of Washington, which shall be charged with the duty of formulating and entering into a general international agreement by which armaments for war, either upon land or sea, shall be effectually reduced and limited in the interest of the peace of the world and the relief of all nations from the burdens of inordinate and unnecessary expenditures for the provision of armaments and the preparation for war."

Mr. HALE. I move that the Senate agree to the amendment of the House to Senate amendment numbered 25. It is an amendment agreed on by the conferees, but simply had to be acted on by the House before it came to the Senate.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maine that the Senate agree to the amendment of the House to Senate amendment numbered 25.

The motion was agreed to.

## CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Ferris	McCormick	Shortridge
Ball	Fess	McKellar	Simmons
Bayard	Fletcher	McKinley	Smith
Bingham	Frazier	McLean	Smoot
Borah	George	McNary	Spencer
Brookhart	Gerry	Mayfield	Stanfield
Broussard	Glass	Means	Stanley
Bruce	Gooding	Metcalf	Sterling
Bursum	Greene	Moses	Swanson
Cameron	Hale	Neely	Trammell
Capper	Harreld	Norbeck	Underwood
Caraway	Harris	Norris	Wadsworth
Copeland	Harrison	Oddie	Walsh, Mass.
Couzens	Heflin	Overman	Walsh, Mont.
Cummins	Howell	Pepper	Warren
Curtis	Johnson, Calif.	Phipps	Watson
Dale	Johnson, Minn.	Pittman	Weller
Dial	Jones, N. Mex.	Ransdell	Wheeler
Dill	Jones, Wash.	Reed, Mo.	Willis
Edge	Kendrick	Reed, Pa.	
Edwards	King	Sheppard	
Ernst	Ladd	Shipstead	

The PRESIDENT pro tempore. Eighty-five Senators have answered to the roll call. There is a quorum present.

## INCREASED FREIGHT CLASSIFICATIONS (S. DOC. NO. 193)

The PRESIDENT pro tempore laid before the Senate a communication from the chairman of the Interstate Commerce Commission, transmitting, in compliance with Senate Resolution 314 (agreed to January 26, 1925), a statement showing the present and proposed increased ratings on certain canned foods named in the resolution, together with the approximate percentages of increase which would result from the proposed changes, which was ordered to lie on the table and to be printed.

## CHILD LABOR

The PRESIDENT pro tempore laid before the Senate a joint resolution of the Legislature of Arizona ratifying the proposed amendment to the Constitution relative to the limitation, regulation, and prohibition of labor of persons under 18 years of age, which was referred to the Committee on the Judiciary.

[Duplicate printed in full in the proceedings of February 3, 1925, when presented by Mr. CAMERON.]

Mr. ASHURST presented a joint resolution of the Legislature of Arizona ratifying the proposed amendment to the

Constitution relative to the limitation, regulation, and prohibition of labor of persons under 18 years of age, which was referred to the Committee on the Judiciary.

[Duplicate printed in full in the proceedings of February 3, 1925, when presented by Mr. CAMERON.]

## PROPOSED UNIVERSAL DRAFT LAW

Mr. WILLIS presented resolutions adopted by Robert E. Bentley Post, American Legion, Department of Ohio, at Cincinnati, Ohio, favoring the passage of legislation to remedy for the future the condition of those who volunteer or are drafted to bear arms and are returned to civil life handicapped in the effort to reestablish themselves, etc., which were referred to the Committee on Military Affairs.

## REPORTS OF COMMITTEES

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (H. R. 5084) to amend the national defense act approved June 13, 1916, as amended by the act of June 4, 1920, relating to retirement, and for other purposes, reported it with amendments and submitted a report (No. 986) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 3765) to authorize a five-year building program for the public-school system of the District of Columbia which shall provide school buildings adequate in size and facilities to make possible an efficient system of public education in the District of Columbia, reported it with amendments and submitted a report (No. 987) thereon.

He also, from the Committee on Claims, to which was referred the bill (S. 4016) for the relief of the Royal Holland Lloyd, a Netherlands corporation of Amsterdam, the Netherlands, reported it without amendment and submitted a report (No. 988) thereon.

Mr. STANFIELD, from the Committee on Claims, to which was referred the bill (S. 3618) to extend the benefits of the United States employees' compensation act of September 7, 1916, to Clara E. Nichols, reported it with an amendment and submitted a report (No. 989) thereon.

Mr. BAYARD, from the Committee on Claims, to which was referred the bill (S. 2441) for the relief of R. Clyde Bennett, reported it with an amendment and submitted a report (No. 990) thereon.

He also, from the same committee, to which was referred the bill (S. 436) making appropriation for payment of claims of John Sevier, sr., and John Sevier, jr., in accordance with report and findings in the Court of Claims as reported in House Documents Nos. 1302 and 131, under the provisions of the act approved March 3, 1883, known as the Bowman Act, submitted an adverse report (No. 991) thereon.

Mr. HALE, from the Committee on Naval Affairs, to which was referred the bill (H. R. 11282) to authorize an increase in the limits of cost of certain naval vessels, reported it without amendment and submitted a report (No. 992) thereon.

Mr. MAYFIELD, from the Committee on Claims, to which was referred the bill (S. 449) for the relief of Katherine Southerland, reported it with an amendment and submitted a report (No. 993) thereon.

Mr. BALL, from the Committee on the District of Columbia, to which was referred the bill (S. 4191) to permit the merger of street railway corporations operating in the District of Columbia, and for other purposes, reported it without amendment and submitted a report (No. 994) thereon.

Mr. McCORMICK, from the select committee on 9-foot channel from the Great Lakes to the Gulf (pursuant to Senate Resolution 411, Sixty-seventh Congress), appointed to consider the construction of a 9-foot channel in the Illinois River from the terminus of the Illinois waterway near Utica, Ill., to its confluence with the Mississippi River at Grafton, and for the maintenance of the channel of the Mississippi River from the mouth of the Illinois to the mouth of the Ohio at or near Cairo, submitted a report (No. 995) thereon, accompanied by an illustration.

Mr. JONES of Washington, from the Committee on Commerce, to which was referred the bill (S. 4045) granting the consent of Congress to W. D. Comer and Wesley Vandercook to construct a bridge across the Columbia River between Longview, Wash., and Rainier, Oreg., reported it with amendments and submitted a report (No. 996) thereon.

Mr. SPENCER, from the Committee on the Judiciary, to which was recommended the bill (S. 3213) to incorporate the American War Mothers, reported it without amendment.



He also, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 3379) providing for the sale and disposal of public lands within the area heretofore surveyed as Boulder Lake, in the State of Wisconsin, reported it with an amendment and submitted a report (No. 997) thereon.

Mr. COPELAND, from the Committee on the District of Columbia, reported a bill (S. 4227) to extend the provisions of Title II of the food control and District of Columbia rents act as amended; to prevent fraudulent transactions respecting real estate; to create a real estate commission for the District of Columbia; to define, regulate, and license real-estate brokers and real-estate salesmen; to provide a penalty for a violation of the provisions hereof; and for other purposes, which was read twice by its title.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MOSES:

A bill (S. 4215) for the relief of Capt. Douglas E. Dismukes, United States Navy; to the Committee on Naval Affairs.

By Mr. COPELAND:

A bill (S. 4216) to extend to poultry the provisions of the meat inspection act; to the Committee on Agriculture and Forestry.

By Mr. PEPPER:

A bill (S. 4217) granting the consent of Congress to the Susquehanna Bridge Co. and its successors to construct a bridge across the Susquehanna River between the borough of Wrightsville, in York County, Pa., and the borough of Columbia, in Lancaster County, Pa.; to the Committee on Commerce.

By Mr. JONES of Washington:

A bill (S. 4218) relating to contracts dealing with real estate on Indian reservations; to the Committee on Indian Affairs.

By Mr. TRAMMELL:

A bill (S. 4219) for the erection of a public building for a post office and other purposes at Marianna, Fla.;

A bill (S. 4220) for the purchase of a site and the erection of a post-office building thereon at Panama City, Fla.; and

A bill (S. 4221) for the purchase of a site and the erection of a building thereon at Chipley, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. BURSUM:

A bill (S. 4222) granting an increase of pension to Mary Hare Mason; and

A bill (S. 4223) granting an increase of pension to Matilda Miller; to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 4224) to amend section 2 of the act of June 7, 1924 (Public, No. 270), entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes," in order to promote the continuous production of timber on lands chiefly suitable therefor; to the Committee on Agriculture and Forestry.

By Mr. FERRIS:

A bill (S. 4225) to extend the times for commencing and completing the construction of a bridge across Detroit River within or near the city limits of Detroit, Mich.; to the Committee on Commerce.

By Mr. FERNALD:

A bill (S. 4226) granting an increase of pension to Emma J. Bickford (with accompanying papers); to the Committee on Pensions.

#### PUBLIC BUILDINGS IN THE DISTRICT OF COLUMBIA

Mr. SMOOT submitted an amendment intended to be proposed by him to the bill (H. R. 11791) to provide for the construction of certain public buildings, and for other purposes, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

#### DETAIL OF RETIRED OFFICERS TO EDUCATIONAL INSTITUTIONS

Mr. COPELAND submitted an amendment intended to be proposed by him to the bill (H. R. 5084) to amend the national defense act, approved June 13, 1916, as amended by the act of June 4, 1920, relating to retirement, and for other purposes, which was ordered to lie on the table and to be printed.

#### INTEREST UPON NOTES OF COMMON CARRIERS

Mr. McLEAN submitted an amendment intended to be proposed by him to the bill (S. 3772) to authorize the reduction of and to fix the rate of interest to be paid by carriers upon notes or other evidences of indebtedness heretofore issued under the provisions of section 207 of the transportation act, 1920, or section 210 of said act, as amended by an act approved June 5, 1920, which was referred to the Committee on Interstate Commerce and ordered to be printed.

#### AMENDMENTS TO RIVERS AND HARBORS BILL

Mr. JONES of Washington submitted two amendments intended to be proposed by him to the bill (H. R. 11472) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

Mr. EDGE submitted an amendment intended to be proposed by him to the bill (H. R. 11472) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

Mr. CAMERON (for Mr. LENROOT) submitted an amendment intended to be proposed to the bill (H. R. 11472) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

#### PROPOSED ISLE OF PINES INVESTIGATION

Mr. COPELAND. I submit a resolution which I ask may be read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 324) was read and referred to the Committee on Foreign Relations, as follows:

Whereas the debate on the Isle of Pines treaty has developed that the national and property rights of American citizens are involved; and

Whereas one article of the pending treaty alleges that relinquishment of title to the Island of Pines is in consideration of the grants of coaling and naval stations in the Island of Cuba; and

Whereas the Virgin Islands may be better situated for the Caribbean coaling and naval stations, as well as for naval maneuvers; and

Whereas the protection of the Panama Canal and our entire national policy as to the Caribbean is involved in the pending treaty and the conditions growing out of its adoption or rejection: Be it

*Resolved*, That a committee of five Senators be appointed to inquire into all the circumstances connected with the Isle of Pines treaty, its effects upon the national and property rights of American citizens, and to report to the Senate such recommendations as it may determine to be the duty and to the interests of the United States.

*Resolved*, That this committee be authorized to take testimony and, if need be, to visit the Caribbean, to the end that a detailed report may be made to the Senate on all the subjects mentioned in this resolution, not later than December 15, 1925.

*Resolved*, That the Secretary of the Navy be requested to assist the committee in every proper way.

#### OPERATIONS IN WHEAT, FLOUR, AND BREAD

Mr. CAMERON submitted the following resolution (S. Res. 325), which was referred to the Committee on Agriculture and Forestry:

Whereas it appears from the public press that preparations are under way to increase the price of bread to the consumer; and

Whereas the high price of wheat is given as the reason for increasing the price of bread: Now, therefore, be it

*Resolved*, That for the purpose of providing the Congress with information to serve as a basis for such legislation, as in its opinion may be found necessary for the regulation of improper practices in the manipulation of prices of wheat, flour, and bread, the Federal Trade Commission is authorized and directed to investigate (in pursuance of the powers conferred upon it by subdivision (d) of section 6 of the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914, as amended, and in pursuance of any other power conferred upon it by such act) the facts relating to (a) alleged corporate violations of the anti-trust laws in respect of operations in wheat, flour, and bread; and (b) the relation of such anti-trust law violations to the demand for and the supply of wheat, flour, and bread, prices of and profits in wheat, flour, and bread, and the methods of marketing wheat, flour, and bread in interstate and foreign commerce. The commission is directed to report to the Senate as soon as

practicable the results of its investigations in pursuance of this resolution.

The Secretary of Commerce and the Secretary of Agriculture are requested to furnish the Senate, as soon as practicable, such information as they may have concerning the world's supply of wheat.

#### MEMORIAL TO THEODORE ROOSEVELT

The PRESIDING OFFICER (Mr. JONES of Washington in the chair) laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 135) granting permission to the Roosevelt Memorial Association to procure plans and designs for a memorial to Theodore Roosevelt, which was, on page 2, line 10, to strike out "1925" and insert "1926."

Mr. PEPPER. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

#### VALIDATION OF PUBLIC-LAND ENTRIES, ETC.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2975) validating certain applications for and entries of public lands, and for other purposes, which were on page 3, after line 24, to insert:

Homestead entry, Bismarck, N. Dak., No. 019975, made by Thomas J. Fox on August 15, 1918, for lot 4 of section 6, township 148 north, range 83 west, fifth principal meridian, and lot 1 of section 1, township 148 north, range 84 west, fifth principal meridian.

Homestead entries, Helena, Mont., Nos. 020678 and 021942, made by Charles A. Kranich, for the southeast quarter of the northwest quarter, southwest quarter of the northeast quarter, north half of the southeast quarter and southeast quarter of the southeast quarter, section 30, township 18 north, range 6 west, Montana principal meridian.

Homestead entry, Glasgow, Mont., No. 051366, made by Karl T. Larson on September 21, 1917, for lot 8 of section 29, lots 5 and 6 of section 28, and lot 2 of section 33, township 28 north, range 53 east, Montana principal meridian, such patent to be issued to the heirs of Karl T. Larson, deceased.

Page 7, after line 5, insert the following:

Sec. 10. That Richard Walsh, to whom patent issued on July 10, 1922, for a farm unit under the Klamath irrigation project, be permitted to reconvey the land to the United States and to make entry for a farm unit in another division of the project, the amount of the construction charge already paid by said Walsh to be transferred to the new entry.

Sec. 11. That the Secretary of the Interior is hereby authorized to grant to the Chicago, Milwaukee & St. Paul Railway Co. under the act of March 3, 1875 (18 Stat. L. p. 482), a right of way for its constructed road across the abandoned Post Discovery Bay Military Reservation.

Sec. 12. That existing entries allowed prior to April 1, 1924, under the stock-raising homestead act of December 29, 1916 (39 Stat. L. p. 862), for land withdrawn as valuable for oil or gas, but not otherwise reserved or withdrawn, are hereby validated, if otherwise regular: *Provided*, That at date of entry the land was not within the limits of the geologic structure of a producing oil or gas field.

Sec. 13. That the Central Pacific Railway Co., upon its filing with the Secretary of the Interior a proper relinquishment, disclaiming in favor of the United States all title and interest in or to lot 1 of section 1, township 16 north, range 22 east, Mount Diablo meridian, in the Carson City (Nev.) land district, under its primary selection list No. 10, embracing said tract, shall be entitled to select and receive a patent for other vacant, unreserved, nonmineral public lands of an equal area situate within any State into which the company's grant extends; and, further, that upon the filing of such relinquishment by said railway company the selection of the tract so relinquished by the State of Nevada in the approved list No. 13 be, and the same is hereby, validated.

Mr. LADD. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

#### GOOD ROADS

The PRESIDENT pro tempore. The unfinished business, House bill 4971, will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4971) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

Mr. JOHNSON of California obtained the floor.

Mr. STERLING. Mr. President, will the Senator yield to me a moment?

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from South Dakota?

Mr. JOHNSON of California. I yield to the Senator from South Dakota. He tells me that he will take but a moment or two with the presentation of some figures, so I yield for that purpose.

Mr. STERLING. Mr. President, I think I was occupying the floor at the time the recess was taken last evening. I do not propose at present to discuss further the situation, but at this point I desire to submit some figures for the Record.

The first is known as Table A, furnished me by the Bureau of Public Roads, and is entitled "Status of Federal highway funds as of December 31, 1924." The second is Table B, entitled "Mileage of Federal aid highway system of the United States." The third is a statement and table showing the excise taxes collected by the Federal Government from motor vehicles, accessories, and so forth, for the years 1917 to 1924, inclusive, and also a statement showing the withdrawals from the Federal Treasury for Federal aid to roads from 1917 to 1924, inclusive. I have also another table which I desire to present, being a comparison of the total license fees and gasoline taxes collected with the Federal aid funds paid to the several States for 1923. I desire that this matter shall go in the Record at this point.

The PRESIDENT pro tempore. Without objection the several tables and statements will be printed in the Record.

The matter referred to is as follows:

TABLE A.—Status of Federal highway funds as of December 31, 1924

State	Apportionment from July 11, 1916, to date	Balances of apportionment not allotted to projects	Amounts allotted to projects		Completed work		Projects under construction		Balance of apportionment not yet placed under construction	Amounts paid to States
			Federal aid	Miles	Federal aid	Miles	Federal aid	Miles		
Alabama	\$11,252,963.00	\$1,160,401.73	\$10,092,561.27	1,399.5	\$4,737,541.35	811.0	\$5,315,311.85	688.1	\$1,200,109.80	\$7,343,455.24
Arizona	7,495,701.00	1,185,738.05	6,309,962.95	786.2	4,884,821.01	614.9	874,548.81	100.8	1,730,330.18	5,364,349.65
Arkansas	9,062,400.00	868,423.13	8,193,976.87	1,426.7	5,249,529.37	1,026.8	2,515,017.83	325.3	1,297,852.80	6,713,966.72
California	17,093,306.00	3,042,032.91	14,051,273.09	1,072.1	9,659,109.74	818.8	4,104,351.58	251.4	3,329,844.68	11,628,714.06
Colorado	9,559,881.00	2,112,445.42	7,447,435.58	768.0	6,195,903.00	658.2	1,216,300.24	104.0	2,147,674.76	6,321,250.59
Connecticut	3,331,195.00	967,409.36	2,413,785.64	132.6	1,996,791.40	111.4	416,994.24	21.2	967,409.36	1,833,891.79
Delaware	1,739,530.00	29,758.25	1,709,771.75	119.4	1,205,540.65	86.3	504,231.10	33.1	29,758.25	1,463,251.83
Florida	1,298,887.00	912,412.00	5,374,474.94	320.9	2,610,830.45	194.6	2,592,520.35	116.0	1,083,535.00	3,455,417.58
Georgia	14,449,897.00	227,082.63	14,222,814.37	2,155.1	9,200,998.58	1,430.5	4,641,899.60	685.6	606,998.82	11,542,778.50
Idaho	6,677,712.00	622,052.49	6,055,659.51	727.3	4,476,553.30	576.6	1,286,129.83	120.8	915,028.87	5,091,578.10
Illinois	23,436,492.00	2,644,533.04	20,791,958.95	1,783.9	18,858,089.50	1,247.4	1,907,337.55	136.5	2,671,094.95	19,093,797.53
Indiana	14,312,392.00	2,206,681.09	12,105,710.91	784.6	6,151,343.49	391.4	5,954,367.42	393.2	2,206,681.09	10,213,051.20
Iowa	15,336,137.00	1,034,107.92	14,302,029.08	2,421.4	10,705,679.61	1,892.1	2,694,449.47	450.4	1,935,007.92	12,371,833.34
Kansas	15,290,289.00	7,079.76	15,292,209.24	1,437.1	10,122,008.02	858.7	3,875,132.51	426.9	1,302,143.47	11,666,090.20
Kentucky	10,371,739.00	1,057,698.86	9,314,040.14	827.6	5,997,092.13	505.0	3,163,011.12	249.6	1,211,635.75	7,789,915.09
Louisiana	7,265,442.00	423,336.92	6,842,105.08	1,073.9	4,748,721.10	824.0	1,938,545.95	248.3	578,174.95	5,908,023.59
Maine	5,089,972.00	823,982.72	4,265,989.28	305.8	3,879,016.68	278.6	380,972.60	27.0	823,982.72	3,912,391.60
Maryland	4,648,950.00	4,422.84	4,644,527.16	349.1	3,863,253.41	293.5	728,523.75	51.4	57,172.84	3,760,635.87
Massachusetts	7,919,780.00	1,487,313.83	6,432,466.17	352.9	5,732,304.04	319.9	539,039.50	23.8	1,648,435.86	5,262,995.00
Michigan	15,879,772.00	1,992,083.14	13,886,788.86	1,038.2	8,975,630.35	783.5	4,811,155.51	304.7	1,992,083.14	11,403,706.64
Minnesota	15,318,419.00	2,176.96	15,316,242.04	3,454.1	12,610,642.04	2,713.3	2,605,800.00	640.7	1,912,976.96	14,403,265.44
Mississippi	9,531,273.00	556,031.15	8,975,241.85	1,296.1	4,566,548.91	754.1	4,038,402.43	481.7	926,221.66	6,850,946.06
Missouri	17,940,188.00	737,000.70	17,203,187.30	1,923.9	7,887,336.99	1,125.0	8,211,850.17	657.1	1,841,000.84	11,136,212.67
Montana	10,968,417.00	3,691,576.48	7,274,840.52	1,200.4	5,142,943.15	902.3	1,541,139.71	180.9	4,282,284.14	5,891,607.68
Nebraska	11,450,946.00	3,241,437.45	8,208,508.55	2,408.1	5,198,590.86	1,765.4	2,552,727.09	533.6	3,693,638.05	6,524,865.29



TABLE A.—Status of Federal highway funds as of December 31, 1924—Continued

State	Apportionment from July 11, 1916, to date	Balances of apportionment not allotted to projects	Amounts allotted to projects		Completed work		Projects under construction		Balance of apportionment not yet placed under construction	Amounts paid to States
			Federal aid	Miles	Federal aid	Miles	Federal aid	Miles		
Nevada.....	\$6,890,321.00	\$207,325.77	\$6,682,995.23	718.9	\$3,373,865.73	376.1	\$3,276,342.16	340.8	\$240,113.11	\$5,482,204.64
New Hampshire.....	2,434,964.00	102,519.25	2,332,444.75	231.1	2,043,940.19	211.7	2,074,824.56	18.5	116,199.25	1,974,464.97
New Jersey.....	6,589,247.00	815,074.27	5,774,172.73	238.5	5,699,895.17	211.8	2,074,277.56	26.7	815,074.27	3,711,702.35
New Mexico.....	8,589,332.00	729,974.94	7,859,357.06	1,481.8	5,410,745.09	1,184.9	2,294,257.20	280.2	884,329.71	5,498,771.91
New York.....	26,708,148.00	4,814,623.47	21,893,524.53	1,395.9	12,673,311.13	834.4	7,633,008.40	460.0	6,381,828.47	13,727,776.66
North Carolina.....	12,294,251.00	1,221,071.08	11,073,179.92	1,277.2	8,144,299.33	1,078.5	2,259,082.77	146.6	1,890,868.90	8,858,572.09
North Dakota.....	8,363,656.00	1,663,539.77	6,700,096.23	2,287.7	5,341,948.94	1,928.0	1,210,610.28	332.5	1,811,096.78	5,707,498.10
Ohio.....	20,140,164.00	1,680,720.97	18,459,443.03	1,456.2	14,759,880.41	1,149.6	3,170,562.62	266.0	2,200,720.87	15,956,504.22
Oklahoma.....	12,536,703.00	764,068.52	11,772,634.48	1,076.0	7,341,301.86	630.5	3,401,656.44	299.6	1,793,744.70	9,478,627.18
Oregon.....	8,506,159.00	205,276.85	8,300,882.15	901.2	7,244,778.58	814.2	945,149.28	77.7	316,231.14	7,448,023.69
Pennsylvania.....	24,601,616.00	2,770,961.27	21,830,654.73	1,201.7	18,149,909.73	962.1	2,793,170.00	180.8	3,658,536.27	19,285,932.26
Rhode Island.....	1,933,041.00	472,184.07	1,460,856.93	80.6	1,088,938.09	62.7	371,918.84	18.9	472,184.07	1,140,290.42
South Carolina.....	7,687,546.00	432,643.07	7,254,902.93	1,614.0	5,009,644.01	1,195.8	2,069,581.64	326.3	608,320.35	6,021,738.00
South Dakota.....	8,718,680.00	66,525.21	8,652,154.79	2,263.4	6,054,800.67	1,493.4	2,581,250.73	723.9	82,628.60	7,104,783.19
Tennessee.....	12,024,637.00	474,416.53	11,550,220.47	900.0	6,011,150.81	450.9	4,968,140.34	373.8	1,045,345.85	8,968,944.64
Texas.....	31,724,213.00	1,615,162.02	30,109,050.98	5,258.9	18,796,184.97	3,553.0	9,139,311.46	1,373.9	3,788,716.57	23,841,117.13
Utah.....	6,116,473.00	470,491.34	5,645,981.66	615.4	3,585,655.24	426.9	1,838,995.46	161.4	691,822.30	4,387,402.41
Vermont.....	2,533,979.00	491,179.21	2,042,799.79	133.5	1,131,009.55	87.0	885,107.93	45.1	517,861.52	1,576,417.92
Virginia.....	10,692,953.00	224,235.56	10,368,717.44	982.3	7,116,771.52	741.5	2,743,210.94	202.2	732,970.54	7,891,314.84
Washington.....	7,886,678.00	442,480.48	7,444,197.52	646.6	6,255,297.52	536.6	1,056,300.00	97.6	575,080.48	6,645,545.89
West Virginia.....	5,754,132.00	700,008.17	5,054,123.83	454.7	3,144,941.56	321.8	1,881,734.27	132.5	727,456.17	4,209,114.50
Wisconsin.....	13,678,451.00	3,607,799.65	10,070,651.35	1,560.5	8,982,529.48	1,446.4	1,020,418.87	106.9	3,675,502.65	9,017,607.93
Wyoming.....	6,687,351.00	250,424.93	6,436,926.07	1,100.4	4,914,984.92	956.6	1,521,941.15	143.9	250,424.93	5,608,069.23
Hawaii.....	365,625.00								365,625.00	
Total.....	525,125,000.00	55,626,523.29	469,498,476.71	57,063.2	324,933,677.23	41,667.7	127,946,664.31	13,286.8	72,244,658.46	380,528,813.43

TABLE B.—Mileage of Federal aid highway system of the United States, January 1, 1925

State	Certified total mileage	Mileage of approved systems
Alabama.....	56,551	3,872.00
Arizona.....	21,400	1,498.00
Arkansas.....	71,960	5,007.03
California.....	70,000	4,467.60
Colorado.....	48,000	3,270.90
Connecticut.....	12,000	835.43
Delaware.....	3,800	308.25
Florida.....	27,548	1,883.00
Georgia.....	80,892	5,450.00
Idaho.....	40,200	2,768.60
Illinois.....	96,771	5,002.22
Indiana.....	70,946	3,957.48
Iowa.....	109,113	7,218.50
Kansas.....	124,143	7,147.00
Kentucky.....	53,000	3,300.20
Louisiana.....	40,000	2,681.00
Maine.....	23,104	1,393.46
Maryland.....	14,810	1,420.74
Massachusetts.....	20,525	1,308.00
Michigan.....	75,000	4,595.00
Minnesota.....	103,050	6,849.60
Mississippi.....	53,000	3,322.00
Missouri.....	111,519	7,530.00
Montana.....	67,100	4,366.00
Nebraska.....	80,272	5,489.00
Nevada.....	22,000	1,422.00
New Hampshire.....	14,112	977.39
New Jersey.....	17,120	1,198.30
New Mexico.....	47,607	3,134.00
New York.....	81,873	4,475.30
North Carolina.....	63,863	3,790.30
North Dakota.....	106,202	4,855.00
Ohio.....	84,497	5,697.00
Oklahoma.....	112,698	5,589.50
Oregon.....	41,826	2,814.00
Pennsylvania.....	90,000	3,670.55
Rhode Island.....	2,368	196.83
South Carolina.....	52,318	3,047.00
South Dakota.....	115,390	5,457.00
Tennessee.....	65,204	3,122.20
Texas.....	182,816	10,932.00
Utah.....	24,057	1,588.00
Vermont.....	14,900	1,043.00
Virginia.....	53,338	3,068.20
Washington.....	42,428	2,907.70
West Virginia.....	31,629	1,918.50
Wisconsin.....	78,800	5,493.36
Wyoming.....	46,320	3,012.50
Total.....	2,866,061	174,350.64

  

Year ended June 30—	Excise taxes collected by the Federal Government from motor vehicles, accessories, etc.	Withdrawals from the Federal Treasury for Federal aid to roads
1918.....	\$23,981,268	\$1,009,154
1919.....	49,341,990	2,915,282
1920.....	145,963,034	20,340,774
1921.....	117,322,741	57,462,768
1922.....	106,219,381	89,946,603
1923.....	146,183,607	71,604,708
1924.....	160,028,548	80,447,823
Total.....	749,040,569	323,327,112

TABLE C.—Percentages of Federal aid apportionment, 1926

Alabama.....	2.11
Arizona.....	1.44
Arkansas.....	1.73
California.....	3.38
Colorado.....	1.88
Connecticut.....	.65
Delaware.....	.50
Florida.....	1.22
Georgia.....	2.71

Includes 1917.

Comparison of the total license fees and gasoline taxes collected with the Federal aid funds paid to the several States, 1923

State	License fees	Gasoline tax	Total fees and gasoline tax	Federal aid	Ratio—Federal aid funds to total license fees and gasoline tax
					Per cent
Alabama	\$1,541,017	\$1,133,085	\$2,674,103	\$1,487,036	55
Arizona	271,670	474,123	745,793	1,257,481	169
Arkansas	1,435,090	1,219,198	2,654,288	1,129,423	43
California	10,608,544	2,518,893	13,127,437	3,017,511	23
Colorado	1,220,218	846,353	2,076,571	1,036,143	50
Connecticut	4,329,432	880,222	5,209,654	242,150	5
Delaware	516,209	88,579	604,788	379,256	63
Florida	1,963,065	1,641,042	3,604,118	820,094	23
Georgia	2,156,406	1,502,593	3,658,999	2,124,309	58
Idaho	914,014	396,487	1,310,501	694,812	61
Illinois	9,653,796		9,653,796	4,257,276	44
Indiana	3,693,715	2,906,438	6,600,153	2,576,304	39
Iowa	8,827,062		8,827,062	2,269,225	26
Kansas	3,435,606		3,435,606	2,739,170	80
Kentucky	2,678,732	680,435	3,359,168	1,791,536	53
Louisiana	2,191,240	754,437	2,945,678	987,941	33
Maine	1,660,268	286,076	1,946,345	861,029	44
Maryland	3,536,955	688,394	4,225,350	653,741	15
Massachusetts	6,989,633		6,989,633	1,270,764	18
Michigan	10,500,786		10,500,786	1,667,285	16
Minnesota	7,316,772		7,316,772	1,374,922	19
Mississippi	1,077,616	467,855	1,545,471	1,022,237	66
Missouri	4,016,383		4,016,383	3,102,407	78
Montana	729,621	441,249	1,170,870	745,229	64
Nebraska	3,353,175		3,353,175	951,725	28
Nevada	153,888	115,843	269,731	1,449,791	540
New Hampshire	1,571,326	163,064	1,734,391	286,616	17
New Jersey	7,653,780		7,653,780	241,693	32
New Mexico	295,000	165,000	460,000	981,138	21
New York	19,862,441		19,862,441	4,019,844	20
North Carolina	3,728,044	2,909,904	6,637,949	1,880,716	21
North Dakota	760,852	461,081	1,221,934	1,068,940	87
Ohio	9,662,370		9,662,370	4,097,277	42
Oklahoma	3,217,770	599,000	3,816,770	2,035,422	54
Oregon	4,069,609	1,958,141	6,027,750	1,421,811	25
Pennsylvania	15,844,303	5,491,522	21,335,825	1,307,538	6
Rhode Island	1,286,659		1,286,659	228,468	18
South Carolina	902,608	1,511,452	2,414,061	1,169,094	48
South Dakota	1,130,959	624,092	1,755,051	1,496,869	85
Tennessee	2,049,653	812,356	2,862,009	1,471,490	51
Texas	5,441,508	1,215,623	6,657,131	5,985,456	90
Utah	430,104	404,085	834,190	966,365	116
Vermont	938,860	168,172	1,107,033	288,969	26
Virginia	3,200,161	1,556,920	4,757,082	1,952,120	41
Washington	3,898,597	1,225,149	5,123,747	692,751	13
West Virginia	2,608,508	366,490	2,974,998	622,351	21
Wisconsin	4,953,933		4,953,933	1,941,119	39
Wyoming	414,096	140,161	554,258	1,189,499	214
Total	188,613,074	36,813,939	225,427,013	74,883,783	33

Mr. REED of Pennsylvania. Mr. President, will the Senator from California yield to me for a parliamentary inquiry?

Mr. JOHNSON of California. I yield.

Mr. REED of Pennsylvania. A parliamentary inquiry, Mr. President. I understand that the motion of the Senator from Connecticut [Mr. BINGHAM] is to strike out all of lines 3 and 4, on page 2, of the pending bill. Would not an amendment of the part proposed to be stricken out be in order before acting on the amendment to strike out?

The PRESIDENT pro tempore. The Chair is inclined to think that such an amendment to the text must be disposed of before the amendment of the Senator from Connecticut is submitted.

Mr. REED of Pennsylvania. Then, Mr. President, I submit the amendment which I send to the desk, but which I do not propose now to discuss.

The PRESIDENT pro tempore. The amendment will be received and lie on the table.

#### AMERICAN PARTICIPATION IN PARIS CONFERENCE

Mr. JOHNSON of California. Mr. President, on Saturday, January 17 last, I offered a resolution in the Senate, which was referred to the Foreign Relations Committee, subsequently reported, and then adopted by the Senate on the following Wednesday. The resolution was one merely of inquiry. In its original form it sought to obtain a copy of the document which had been signed at Paris on the 14th day of January last by the representatives of many European powers and by three representatives of the United States of America. The resolution as amended by the Foreign Relations Committee went a bit further, and while it might be more or less hazy in its phraseology, nevertheless the intent of it was to inquire concerning the circumstances surrounding the particular transaction and to elicit the facts relating to what had occurred at Paris in which the United States had participated.

Yesterday the Secretary of State made response to that resolution. His response contains a wealth of information that makes it impossible in the short space of 24 hours either to digest it or to comment intelligently upon it. I do not seek, therefore, to-day to attempt to traverse anything that may have been said by the Secretary of State; nor, indeed, do I seek to do more, in view of the brief period that has elapsed since the response of the Secretary of State, than to present as well as I can what happened at Paris from the various viewpoints of the interested parties, and to ask that the Senate consider, as the Senate ought to consider, the two very grave and important questions which have been presented by what happened and by the reply of the Secretary of State. For, Mr. President, there are two very important questions to-day that come to us, perhaps not for solution in the singular era that now grips the Senate of the United States and the United States itself, but two important questions that some time, some day, by some Senate, and by some American people must be decided, and upon which a definitive determination must ultimately be rendered.

The first of the questions presented by what has happened in the last few weeks relates to the possibilities which may follow the deliberations and action of the Paris conference. The second question presented by the response of the Secretary of State involves the power of the executive branch of the Government to determine without the consent or the ratification of the Congress what shall be done with a liquidated debt of the Nation.

I confess to you, Mr. President, that I am more concerned with the first of these questions. Delicate matters of power appeal little to me; delicate questions upon which the determination may be rendered by our constitutional lawyers here in one fashion and by those who are a part of the office of the Secretary of State in another concern me hardly at all; but, sir, I am deeply concerned with what happened at Paris on the 14th day of January last. I am more than deeply concerned with the possibilities accruing from the action taken in the name of the United States at Paris on the 14th day of January last.

I recognize the position of the Secretary of State. I neither question nor criticize it. I take it that when the Secretary of State says to us and says to our people that the United States is neither legally nor morally bound by what happened at Paris the Secretary of State expresses his present view and his present intention. I quarrel not with either his view or his expressed intention of policy.

I recognize, too, Mr. President, that what may be thus authoritatively and officially uttered by the Secretary of State constitutes the present view and the present intention of the administration of the United States Government. I quarrel not with the administration's view or the administration's present intention, sir; but I recognize that, after all, this is an ephemeral body and that administrations come and go. I recognize that the distinguished Secretary of State will remain in the office which he has adorned for scarcely 30 days more; I recognize, sir, that the administration may change over night by the hand of fate placed heavily upon it; I recognize that this body automatically, permanent as its character may be, will change in personnel as the days go by. So, sir, upon a question of such great import, upon a matter as to which it is asserted not only by our own publicists but by every publicist on the face of the earth outside of America, that the policy of the United States of America has changed, some voice however feeble, some man, however little he may be, some individual with such views as have been expressed by some of us during the last five years, ought upon the floor of the Senate, ought in the Congress of the United States, ought upon the hustings if the power is given him, ought, whenever he is enabled to speak, to call the changes that have been made in the policy of the United States Government; to point, if he believes they exist, the perils that in the future, due to this change of policy, confront the United States Government, and to render what service he can in the avoidance of those perils.

I recognize, Mr. President, the personal limitations of the individual who speaks to-day. I recognize that his voice carries little weight and has little effect; but, sir, that individual since 1919 has had a single view of a policy for the United States of America. He has traveled the rough road of that view for five years ago; he is on that rough road to-day; and so long as he remains a Member of the United States Senate, so long, indeed, as God gives him the power to stand up and voice his sentiments, the same view that he expressed in company with others five years ago, is the view that to-day, and in the days to come, he shall continue to express, of letting



America live her own life in her own way, unentangled by any political ties with Europe or any of Europe's nations. It is because, sir, I feel that it is the duty of somebody to speak of the possibilities that I rise now.

You, Mr. President, understand how a body such as this changes. Senators will remember that since the last session of the Congress three Senators, who adorned this body a year ago, probably the three most influential figures in it, the three outstanding figures in the United States, indeed, have passed away, and have been succeeded by others. In days to come this body will change, and it is essential when it comes to the construction of a document signed in the present that a present reading of it be had here and throughout this country so that our people, and all peoples, in the days to come, may, at least, have been put on notice and may, at least, understand something of that which has occurred.

Mr. President, permit me to recall the chronology of what has happened concerning this resolution and the reply to it. On Wednesday, January 14, 1925, the agreement was signed at Paris; on Thursday, January 15; Friday, January 16; and Saturday, January 17, there were felicitations by foreign statesmen and articles galore in the foreign press at the cheering news that America had altered her policy and that America once more "was in Europe." During that week these felicitations continued, and not alone did they continue, Mr. President, in the foreign press and among foreign statesmen, but in our own country, in those newspapers that have the international viewpoint, there was glee that finally America had come to realize her responsibilities and that America, realizing her responsibilities, had finally become a party to the collection of money from Germany under the Dawes plan for the payment of reparations. During the week these felicitations and congratulations were numerous in our land and abroad.

On Saturday, January 17, a very innocent resolution, a resolution of inquiry, was presented. On Sunday, January 18, a very distinguished diplomat, a gentleman who has been spokesman for two Republican administrations, published his famous editorial in the Washington Post, "America duped." Of this more hereafter, Mr. President; but its publication was on Sunday, January 18. Up to Monday, January 19, there had not been a single word of explanation or construction from the men who signed the declaration at Paris for the United States. Up to Monday, January 19, there had not been a disclaimer of the utterances of European statesmen by the United States Government in any way, shape, form, or manner.

On January 19 the Secretary of State made the first American utterance upon this question. I congratulate him upon that utterance. I congratulate the country upon that utterance. He then said, with a forthrightness that can not be too highly praised, that we were neither legally nor morally bound by what had been done at Paris.

Mr. President, if we did nothing more by the agitation that had occurred, if Mr. George Harvey never again renders a public service during his life, he rendered by his editorial of Sunday, January 18, a public service that can not be overestimated when he called forth the following day the reply officially made of the Secretary of State of the United States of America, the first response that had been made, that America was neither legally nor morally bound in the future by the signatures of those who had written into the document at Paris for the first time our Nation and our Republic.

So I have naught but praise for the editorial here, and naught but praise for the response of the Secretary of State. It has been a good thing that we have been able to call forth the declaration that we have. I trust it puts the nations of the earth upon notice. If we had done nothing more than that, we would have accomplished sufficient, and all the bludgeoning that has been indulged concerning the individuals who asked for this information will have been indeed fully and amply repaid by the declaration made by our country that we are neither legally nor morally bound. But remember, sir, this is the declaration of a Secretary of State who leaves office in 30 days. Remember, it is the declaration, after all, of one who resides in the city of Washington. Remember, sir, as I shall now proceed to demonstrate to you, it is a declaration at variance with every declaration of every signer of the document at Paris, and at variance with the declaration of every newspaper of note that is published across the sea.

Recall that, sir, because, after all, remember we are speaking for the future now. We are speaking for a time, sir, when we may have passed from this scene. We are speaking now for a time when our children and our grandchildren may sit in our places. We are speaking for a time when we would have this country left to them just as we received it from our forbears. The Dawes plan may work for a year. It may

work for two years. Pray God, you Americans to-day, that it will work in its entirety. Pray God to-day, ye who are Americans and believe in the future of this country, that the Dawes plan works out in its entirety and is wholly a success.

If a success, and if in its entirety it works out, then doubtless we may not have the ills which it needs no imagination to conjure can arise from the document that was signed at Paris. If it works ill, if it works but partially, if after all it is essential for those who signed the deed of collection to do the collecting, then there will come a time in this Nation, my friends, there will come a time to those that you love, when you will curse the day that America became a part of a collection document for European debts.

Oh, I know how they seek to allay our fears. I know how persuasive, in this material era, is the idea that we are going to get some money. I read the cynical remarks of one of the members of the press in France, and another in London, that this was the way, by the collection of some money, to allay the fears of the Middle West, and make the Middle West agree to come into Europe, to tell the West: "You are going to get some money out of this thing," and, getting some money out of it, have the men of the West agree to come into Europe.

This is the cynicism of Paris and of London concerning the agreement. I repeat, sir, I know how persuasive is this appeal. I understand, in this era, how when you tell us we are going to get some money out of a transaction all else may be forgotten, and in grasping for the money we may lose the most priceless thing that this country has. I recognize, sir, that appeal, and I recognize the difficulties that we encounter, both in opposition to that appeal and in considering it in other ways.

Now let us see who were at Paris, of the important ones. There were five great nations there. There was the United States, represented by the ambassador to England, the ambassador to France, and a gentleman who was connected with the United States Army; there was Great Britain, represented by Mr. Winston Churchill; France, represented by her Finance Minister, Clementel; Belgium, represented by her minister, Mr. Theunis; and Italy, represented by the Finance Minister of Italy, Mr. de Stefani. These five were the "big five" that were there.

I do not know whether you, who are lawyers, have construed contracts by the declarations, contemporaneously made, of those who executed the contracts. I do not even pretend to say, in this body of astute attorneys, whether or not you should construe a contract or its intent by what might contemporaneously be said—I am referring to the intent being doubtful—by those who executed the contract. Yet, nevertheless, because the time will come when it is essential that this agreement be accurately construed, when it is necessary that it be determined what the United States of America undertook in Paris on the 14th day of last January—because such a time is bound to come in the future, Mr. President, it is essential that we know now, that if we can we put it of record; that if it be possible, the Senate shall authoritatively and officially go upon record as to the possibilities that may come or might arise out of the execution of that contract.

We have the words that were spoken immediately afterwards by those who are parties to it. The representative of Belgium, Mr. Theunis, said immediately what? He said:

To pay 2½ per cent to have America's signature in our syndicates is nothing. America might ask 2½ or 7½ per cent to participate in this operation and we would gladly pay, and this would have been a bargain price, too.

Pay? Pay what? Pay merely that the United States of America should collect 2½ per cent in the indefinite future on a speculation the consummation of which no man can foretell. Is that what was intended then? Sir, even if we receive the 2½ per cent out of the Dawes collection and out of the reparations paid by Germany, it is too small a price to pay for the possibilities of what may happen in the future between Europe and ourselves.

The Secretary of State may be right. I insist and shall insist he is right. If I remain here, and the question arise, I shall insist that the United States take no part in the collection of the amounts under the Dawes plan. But none can tell when, nor how the matter may arise in the future. These gentlemen who signed for the United States of America have one view or another; but it is indubitable that for 2½ per cent of an indefinite amount, payable at an indefinite future, we risk the amity and the good will that now exist between the nations of Europe and the United States. We are not so



childlike as to imagine that these diplomats of Europe have designated this bond of ours in a certain fashion and will not insist, if the occasion ever arises, upon the construction they now put upon it. Who so credulous as to believe they will change their view overnight because of an expression of ours? They will be insisting upon their view in the days to come, and when they do we shall have exchanged amity, good will, friendliness, for perplexity, confusion, ill will, and hostility.

That is what we got at Paris for 2¼ per cent of something that may not, and probably never will, be paid. That is the price we got for altering the policy of America, if we did alter it then, as these Europeans claim. That is the price we got for changing the policy of America which had been America's policy ever since the United States have been a nation.

I pass to what Mr. Winston Churchill said of this agreement. After describing it—and to that I shall come again—he said:

But, taking a long view, there are other and greater advantages which present themselves. The formal participation of the United States in the proceeds of the Dawes scheme had indisputably added an immense moral weight to the authority on which that scheme stands, and once again, after six years, marked by many misunderstandings and divergences, we find the Allies and the United States working together within the limits of the Dawes scheme in the most complete harmony.

That is to me—

Said Mr. Churchill—

and I am sure to all our colleagues here, a cause of very real and justifiable satisfaction. It should constitute a definite stage in the march away from the confusion which followed the great victory and toward that general consolidation and reconstitution, not only of allied, but of European affairs, which must ever be our goal.

Who listened to these panegyrics upon the changed attitude of the United States? Our commissioners listened, and acquiesced, by silence, at least, although the response that was made by Ambassador Kellogg was more than acquiescence.

Contemporaneously M. Clementel, of France, said in the Chamber of Deputies:

We agreed to America's collecting this. We had strong reasons to desire American participation. As M. Theunis has said, "regardless of moral consideration but as assurance, I would have paid even more dearly."

Then he proceeds:

America's participation in European affairs by sharing in the Dawes annuities is an insurance policy on the payment of reparations.

Then he was interrupted in the chamber. His interrupter shouted, "You paid a high price." Then M. Clementel of France responded:

American participation is beyond price. It has cost us nothing. We should have been glad to pay highly for it.

I do not need to comment upon language such as this. Indeed, dull would be the intellect that could not understand how these gentlemen abroad regarded our activities.

There is yet another, the Finance Minister of Italy, Mr. Stefani; and it is significant that he made the remarks I am about to read after the declaration of our Secretary of State that we were neither legally nor morally bound. He said:

We regard the enlistment of America by the side of the Allies in the Dawes plan as a political event of great importance, of much more importance to us and to you than the amount of money involved in the terms of settlement made with the American delegation. It seemed to me then, and it seems now, perfectly plain that in taking part in the Paris agreement, the United States took up its part of the responsibility for Germany's paying, and it was because of that understanding that we welcomed the arrangement.

Doubt abroad of what we did? Not a bit of it! Not a bit of it, sir! No man in responsible position in any nation of Europe doubts for an instant what happened at Paris. We may doubt it, and we may render our decree, through our Secretary of State. Yet during the time of felicitation immediately afterwards, we participated in the felicitations, through the gentlemen who represented us abroad, and we never once, never once during that period, denied what was then being said in felicitation and congratulation by the statesmen over there.

Oh, yes, Mr. President, they believe we are "over there" again. Our return "over there" is what I have been fighting for five years. That is why I am talking here to-day. I do

not want to go "over there" again. I do not want to go "over there" politically. I do not want to go "over there" militarily again. That is the struggle that has been on for five long years in the United States.

There sits in the Senate at this moment the man who began the fight—the Senator from Missouri [Mr. REED]. He stood firm as a rock during all that period. I glory in the ability he has displayed, and in the way in which he has battled during all that time.

I do not want to go over to Europe again politically. I do not want to go over there again militarily. I want this Nation to live its own life in friendship and amity and peace with every nation, unfettered by political bonds with any.

When you call us in derision "isolationists" you do not know what you say. Isolationists? Not a bit of it. I would not be isolated from the rest of the world, of course, in any of those contacts which for 140 years we have always had. I would not be isolated from the rest of the world in those contacts with which we have all become familiar during the period we have been a Nation. But, Mr. President, I would keep this country from Europe's politics, from Europe's wars, from Europe's agreements, which European statesmen seem to think make us a part of their collection agencies and make us a part of their political policies that have created the awful maelstrom over there.

That is what I have sought for five years to prevent. That is why I am speaking here. It is not in hostility to any man or any set of men that I raise my voice upon this question. I have raised it, and I care not who may be upon the other side, because, after all, in my opinion, our separation from European entanglements means the future of the country in which I have lived for nearly 60 years. It means the salvation of that country for those we love who are to follow us. I would preserve it as we have had it in the days gone by.

Senators who can think of nothing but the material, who are engrossed in the post office at Grizzly Gulch or the collectorship in Prairie Town, I beg you Senators who are engrossed with these matters you think of deep importance to your constituents, to give a passing thought, just a passing thought, to the future of the Republic and to the things which may occur if this Republic becomes a part of the political mess that is across the sea.

I have read what was said by the four gentlemen who constituted the important signers at Paris. I want to read now one or two references from the foreign press, and then I want to turn to one or two in the press of this country. I want, if it be possible, to make plain just the construction that has been put upon this agreement, to leave with the Senate finally the first question that I presented—whether the Senate should not in some declaration make plain its attitude—and to leave to those who are great constitutional lawyers in this body the second question—as to the power of the Executive to deal with a liquidated debt of the Nation.

I turn to one or two of the foreign newspapers. I have first the earlier editions of the Manchester Guardian dealing with this subject. The Manchester Guardian presents from one aspect, as Senators know, the politics of Great Britain. Other newspapers there, as with us, represent other views. The Manchester Guardian (Liberal) says this:

The details of the settlement are the merest details of bookkeeping, too intricate to summarize, and of no interest to the general public. The two outstanding facts are the victory of the French and Belgians in the matter of the Ruhr expenses and America's formal entry into the partnership of the Allies interested in working the Dawes plan. Naturally French opinion is almost jubilant. \* \* \* As a result of Mr. Churchill's agreement with the American delegates the United States will come in to take her percentage along with the rest. It will be a minute percentage, it is true, so that from the financial side the event is of little importance. Politically it is regarded as of the greatest importance, indeed. The unity of "the allied and associated powers" is restored that was broken by the American Senate's refusal to ratify the Versailles treaty in 1919. As far as the reparations portion of that treaty is concerned—and, generally speaking, it is the only unfulfilled portion and therefore the only one that matters—the United States now stands alongside the Allies just as much as if she had ratified the treaty. "America," says the *Œuvre*, "has become officially a contracting party in the Dawes scheme. If ever a day comes when Germany breaks this accepted contract America will be at our side in recalling her to a sense of her duties. In short, we have signed an insurance contract against all Dawes-plan risks—and the premium we have to pay is by no means too high."

What a tribute to our statesmanship abroad! Without comment, I leave that tribute with my brethren.



The Matin, in Paris, immediately after the signing of this agreement, said:

The conference at Paris has revived the old and powerful slogan, "allied and associated powers."

One of our ministers delegated to the financial conference said to me, yesterday:  $2\frac{1}{4}$  per cent to America,  $2\frac{1}{4}$  per cent to have in our syndicate of creditors a signature like that, it is very cheap. The Americans could have said to us: "We demand  $2\frac{1}{4}$  for our reparations and 7% for participating in the operation." This would only have been just.

Under this pleasing and paradoxical form is a great truth. In the Dawes plan the Americans were up to now the architects, since they had to a large extent conceived it and the controllers, since they supervised its execution. They are henceforth beneficiaries. Thus, in the domain of reparations, although America did not sign the treaty of Versailles, the old and imposing slogan of 1919, "allied and associated powers," has again become a reality.

I do not believe that the matter of between fifteen and forty-five million marks per year modifies the budgetary calculations of Mr. Mellon. It is a drop of water in American finances. But these small sums are a symbol of reestablished solidarity and the American people will be interested in them.

I am trying, sir, to interest the American Senate in them and what they may have done to us at present. There will come a day when the American people will be interested.

I read from the London Times of January 15:

Above all, the United States is now practically interested in the working of the scheme by being admitted to a share in its proceeds. It is, in fact, once more an "associated power."

Mr. President, I think perhaps it is not particularly logical or sequential at this moment; but I want to read what Mr. Winston Churchill said at the time of the agreement about America and exactly what the other parties had to pay, so that we may see that we had a liquidated debt of the United States Government upon which a settlement was made by those representatives in Paris for a very much smaller amount. Now, Senators may believe that through the representatives of the United States of America abroad the Executive has the power to reduce, modify, or to cancel a debt. I do not know what their belief may be. A contrary opinion I venture very timidly to express. But what was done at Paris after all was the settlement of a liquidated claim of the United States of America for less than we had settled that claim for.

Mr. Winston Churchill said—I read from the London Times:

Under the Wadsworth agreement the United States had an unquestioned right to recover the cost of their army of occupation by a series of cash priority payments which could certainly not have been estimated below 87,000,000 gold marks, or, approximately, four and a half millions sterling per annum for 12 years. Owing to the arrears which have accumulated these annual payments might easily have reached 120,000,000 gold marks, or about £6,000,000 a year, through all this anxious period. In place of these important and unchallengeable rights the United States will now receive for Army costs 55,000,000 gold marks, or £2,750,000 per annum, over a period of about 17 years. For the rest, they will draw a  $2\frac{1}{4}$  per cent share of the Dawes reparation annuity, taking their chances, for good or ill, with the rest of the Allies. Until and unless these annuities attain their maximum, the yield to the United States, therefore, will be substantially less than the amount by which they have diminished their annual claim under the Wadsworth agreement. I feel, therefore, that, upon a broad view, we shall be helped and not burdened by the new arrangement which has been made.

But taking a long view, there are other and greater advantages which present themselves. The formal participation of the United States in the proceeds of the Dawes scheme had indisputably added an immense moral weight to the authority on which that scheme stands; and once again, after six years marked by many misunderstandings and divergences, we find the Allies and the United States working together within the limits of the Dawes scheme in the most complete harmony. That is to me, and I am sure to all our colleagues here, a cause of very real and justifiable satisfaction. It should constitute a definite stage in the march away from the confusion which followed the great victory and toward that general consolidation and reconstitution not only of allied but of European affairs, which must ever be our goal.

The New Statesman on January 17 said:

The most notable result of the financial conference which was concluded in Paris this week is the fact that America has abandoned the policy of isolation which she has pursued for the last five years. She has returned to Europe in order to assert certain minor financial claims against Germany, and is now definitely and officially a party to the reparations settlement. Her representatives will no

longer be mere "observers," but active and voting members of any further conferences which may be necessary. Her claim to be allowed to share in the proceeds of the Dawes plan was not very sound and was opposed by the British Government; but it was eventually accepted and settled on a basis which will not involve a very serious sacrifice on the part of Germany's European creditors. Great Britain, at any rate, might well have been content to pay a substantially bigger price for the sake of securing American cooperation in the solving of the reparations problem. For the participation of America should insure that the achievements of 1924 will not be undone; that is to say, that future negotiations on this subject will remain on a business-like footing, and—whatever changes may take place in France—will not be allowed again to degenerate into the barren political squabbles of 1920-1924. We are bound, therefore, to rejoice over the return of America, even though we may have no very great admiration for its more immediate motives. Moreover, those motives may fairly be regarded as more ostensible than real. Many leading members of the American administration have long desired that their country should resume the responsibilities which it incurred when it helped to frame the treaty of Versailles—

That is the story always—responsibilities which we incurred when we went into the war, responsibilities which we incurred after the war. Every internationalist has punctuated his eloquence in the last six years by telling us how our responsibility to Europe exists and how we evaded that responsibility by not becoming a part of the European mess. Responsibility! Always on the tongue of the international statesman, always on the tongue of those who are looking abroad and seeking to embroil us abroad. Responsibility for the war, for the results of the war; responsibility for upbuilding and stabilizing Europe and the like.

I am not now undertaking to argue whether those statements are correct or not. They have all been argued in the last six years. Responsibility? The United States must return to its responsibility. Can you not hear them echoing now down the corridors of time years hence, when it comes to the collection of reparations from Germany? If Germany shall fail, can you not hear the responsibility that the United States Government owes—responsibility, responsibility, because there is that signature to the document. The responsibility is yours, yours that have been saying to us in the past, without the ghost of an excuse for so saying, that our responsibilities were to go into Europe anyway without our signature, without being a part of the game, to go there and do as Europeans would have us do in their political maelstrom and their political difficulties. We have refused in the last six years and denied the responsibility, although many of our own people have insisted on it. Imagine the insistence if their written agreement for the collection—yes, the collection—shall go wrong, if the time shall come when Germany does not pay.

This article then proceeds:

Many leading members of the American administration have long desired that their country should resume the responsibilities which it incurred when it helped to frame the treaty of Versailles, but it is possible that they could obtain the consent of the Middle West to any fresh interference in the affairs of Europe only by assuming the rôle of debt collectors. They have shown themselves this week, at any rate, to be generous enough in their debt-collecting methods.

Now that the consent of the Middle West has been obtained, because we are in the rôle of debt collector, a different view, as expressed by this paper, will be taken of America's responsibility abroad.

The Statist of January 17 said of this conference:

Besides its swift successes on material questions, the Paris conference has also been remarkable for an exemplary moral accord amongst the Allies. In particular it must be observed that America has displayed an unusual sympathy with European difficulties, while that country's acceptance of the status of a beneficiary under the Dawes scheme means a new and powerful support to the stability of the reparation settlement.

The Spectator of January 17 said:

In spite of Mr. Hughes general doctrine of aloofness America is being gradually and inevitably drawn into the European current. \* \* \* After all, the modern world is too nearly a unity for America to stand apart. The Paris conference has proved that America has come back.

America has come back! It is a sad day when America comes back to the political turmoil abroad, and if these gentlemen who speak as all those have spoken abroad are accurate and America has come back, heavy is the burden that will rest upon every Member of this body, every individual in the Congress of the United States who has the power to speak and



who speaks not. It is that I may arouse the old feeling concerning our country that was present and has been in the past present in this body that I call your attention to what has been happening.

In the Manchester Guardian of January 16 I ran across Mr. Phillip Snowden's view of what he insisted had happened. Mr. Snowden was the predecessor of the present Chancellor of the Exchequer in Great Britain's Government, and his words, I take it, therefore are entitled to more or less weight as the case may be. Concerning our reappearance he said:

The "concession" appears to be appealing to America for her unofficial help in arranging and carrying through the Dawes plan. But America may yet find that she has bought this concession at a big price. It will certainly involve her in any sanctions which may be decided upon by the Allies in case of proved flagrant default by Germany, or which may be taken independently by any of the Allies. The French and Belgians, by sacrificing a very small part of their reparation receipts, have committed America to the military support of the Allies in the enforcement of the Dawes payments. This admission of America to the Dawes scheme appears to modify the London agreement in important respects.

I shall not seek, Mr. President, to put into the Record all of the newspaper articles that I have before me. Some of them, however, I desire that I may be given permission to insert as I may identify them. There are, however, one or two articles that have been published in the country to which I desire to call attention. The New York World of January 15, in an editorial entitled "A revolution in policy," said:

[From the New York World, January 15, 1925]

#### A REVOLUTION IN POLICY

Silently, almost secretly, Mr. Coolidge has revolutionized the European policy of the Republican administration. The White House, to be sure, continues to say that there has been no change. But all Europe knows that the administration has reversed itself, and anybody who will look at the result of the Paris conference must see that Europe is right. We have transformed ourselves from an unofficial observer of the reparation problem into a partner under the Dawes plan.

We have assumed, in the words of Premier Theunis, of Belgium, "a direct interest in the perfect execution of the plan"; in the words of the French minister, Mr. Clementel, we have given "a great guaranty" that Germany will carry out the plan. It will cost the Allies about \$25,000,000 worth of German marks a year to keep us "entangled" in the collection of German reparations for 50 years. This is the great victory which the Associated Press correspondent in Paris announces that Ambassador Kellogg and Colonel Logan have won. If Mr. Churchill and M. Clementel can keep a straight face they are great poker players. For a ridiculously insignificant amount of somebody else's money they have placed on the scrap heap four solid years of Republican oratory.

Gone is the pretense that we were disinterested observers of the reparation business. Gone is the pretense that we could enforce a separate treaty with Germany. Gone is the pretense that we were against "involvements." Gone is the pretense that we would take part only privately and unofficially in the European question. Gone is the pretense that we were different and aloof, and all that sort of talk. Gone is the pretense that we were going to collect the last red cent owing to us. For the sake of an annual twenty-five millions of hypothetical cash we have in one vast diplomatic triumph canceled roughly 50 per cent of our claims against Germany and written ourselves into the partnership for collecting German reparations.

We have done the right thing, but we have done it expensively, furtively, and without dignity. When the moral leadership of the world was ours we would not take part officially, as became a great power, in the liquidation of the war and the organization of peace. But for twenty-five millions cash and in the guise of a grasping creditor, with all Europe divided between soreness over our rigidity about money and laughter over the naïveté of our diplomats, we have sidled into the center of the whole tangle. We have done at last covertly and with loss of prestige what we should have done at first openly and with the gratitude of the world. We appear not as a generous creditor but as a creditor whose hard-heartedness has been beaten down. We appear not as a great nation shouldering its responsibilities for a peace in which its armies played the decisive part, but as a nation so bent upon petty bill collecting that it forgets to examine the moral responsibilities it is indirectly assuming.

It is not pleasant to draw attention to these things, but it is necessary to do so. For this settlement of the Army bill and the German damages is only a fraction of the much larger claims still outstanding against Europe. The question is whether we are going to bungle them at the same expense both of money and of prestige or whether we are going to do what a nation skilled in diplomacy would do—wipe off the claims that can not be collected and capitalize the money deficit in a project of international good will.

Having become partners in the European question, are we going to exercise the power which goes with that immense responsibility or are we going to be dragged along deeper and deeper into entanglements which are none the less real, and are much more dangerous, because we won't face them and acknowledge them?

I refer as well to the article on the following day in the New York World, and I read from it so that there may be understood on this side of the water the reasoning of a certain part of the press at least concerning what was signed at Paris.

#### DEBUNKING THE PARIS VICTORY

A little debunking of the reports of the Paris conference seems to be in order. Let us begin with the great victory won at the eleventh hour by the American delegates. Up to that dramatic eleventh hour the Allies had agreed that America should receive for reparations 2¼ per cent of the German payments annually, provided this did not come to more than \$11,250,000. After the eleventh-hour victory we are to have our 2¼ per cent, even if it comes to more than \$11,250,000.

Now, why did the Allies grant us this great victory? They granted it because it does not cost them a cent and is pure bunk.

I would not dare say that, Mr. President. I am reading an editorial, I desire it to be known, from the New York World. The editorial continues:

Before the victory we were limited to a sum which is one forty-fourth of \$495,000,000. Now, if there is any finance minister in the world who expects Germany to pay \$495,000,000 a year, we have yet to hear of him. For he would be arguing that Germany can pay three times as much a year as Britain finds it an effort to pay us. There is nobody who takes the figure seriously. Therefore, when our delegates asked for 2¼ per cent of an even larger figure the Allies said, "Sure! Help yourself. If it gives you any pleasure, it certainly won't cost us anything to let you have a claim to some more nonexistent, noncollectible cash."

In the meantime the truth about the conference was explained by Winston Churchill after the document was signed. He pointed out that the United States had scrapped the Wadsworth agreement about the Army costs in order to sign a new agreement covering in theory both the Army costs and war damages. Mr. Churchill said that "unless and until" Germany pays the Dawes annuities, about which he was not in the least optimistic, we collect under our new agreement less for both bills than we were entitled to collect on the one bill alone. In compensation we have the privilege of lending our moral weight to the business of collecting reparations for the next 50 years.

Then the New York World proceeds:

Now, if the United States is going into the reparation business it ought not to go in by the back door, taking all the moral responsibility and exercising none of the power that such responsibility ought to involve. This thing is not yet understood in America as it is understood abroad.

Those of us who have stood with me in this contest in the last six years have been constant in the view of the policy which this Government ought to pursue, but we have all been of one mind, sir; we never have changed our idea against America's participation in Europe's political affairs. However, I have ever said, and I have ever heard my colleagues who believe as I do say, that if the time ever comes when America is to participate in Europe's affairs, if that time, which God forbid, shall ever arrive when our Republic is to be in the European maelstrom and in European politics, let us go in as Americans should, with our heads up and our flag flying. Let us go in the front door, as we ought to do, avowing our purpose to the American people, and not sneak in the back door or gradually be shoved in in some surreptitious manner. That has been the position which we have maintained concerning our entry into European affairs, and the New York World in expressing the view that that ought to be done by us, although otherwise it is diametrically opposed to what I hold to be the appropriate policy of this country, is entirely right.

If we are to assume responsibility in Europe, if we are to become part of the European system, let us go in and let our people know we are going in. Do not let us do it by this subterfuge or that, by a pretense of this character or a pretense of that character. Let us go in with our heads up, walking in regretfully, but walking in so that all America shall know we are walking in. That is the American way to do, and that is the only way that this Government ought to deal with this problem at all.

The editorial in the New York World concludes in this fashion:

When it is understood, we believe the American people will demand either that we take a direct part in the determination of the whole reparation question or that we disentangle ourselves from it. The



present arrangement makes us, on the basis of an insignificant financial interest, partners in all the vast moral reparation commitments which we do not take part in determining.

The World would be glad to see the United States take its part. But it can see no point in taking responsibility without taking part. That would be a poor bargain morally, politically, and financially. The only thing to be said for the Paris "victory" is that the realization it was a diplomatic defeat may in the end bring home to Congress and the administration some of the realities behind the political fantasies which becloud the whole debt question. The trivial sums of money gained or lost mean nothing. But a lesson in financial diplomacy would mean a lot to us and to all the world.

Mr. President, I shall not quote editorials which I have here from the New York Times and others from the New York World. I do wish, however, to put into the RECORD the article of George Harvey, to which I have referred, in the Washington Post of January 18, 1925, and that a week later by the same distinguished gentleman.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Without objection, it is so ordered.

The articles referred to are as follows:

[From the Washington Post, January 18, 1925]

AMERICA DUPED—TRAPPED BY EUROPEAN DIPLOMATS IN PARIS—ATROCIOUS AGREEMENT—WAIVING INDEPENDENCE—LEAPING INTO COCKPIT OF EUROPE—IS THERE NO WAY OUT

(By George Harvey)

There seems to be a misunderstanding, somewhat more than slight, respecting the precise outcome of last week's International Financial Conference in Paris, so far, at least, as these United States are concerned. Early information conveyed by the Franco-American press tended, greatly to our relief, to dissipate the forebodings set forth in these columns last Sunday; but later, and even more poignantly, the latest news bears an impression of disquietude which falls little short of dismay.

Our sole ostensible reason for participating in the proceedings was financial, and relatively of small importance. There was owing to us \$250,000,000, with accumulated interest, for the cost of maintaining an army on the Rhine for several years following the armistice. The troops were kept there by earnest request of the Allies, and most reluctantly, by President Wilson, who bravely heeded the dictate of his conscience, against the manifest wish of the people that having put the finishing touch on the winning of the war their soldiers should return to their homes.

In consideration of this notably helpful, magnanimous, and self-abnegatory act on the part of Mr. Wilson, and as an essential part of the integral arrangement, the Allies definitely agreed in writing that the costs of maintaining the various armies of occupation, with a clear understanding of priority for the disinterested United States, should be paid from the funds earliest obtained from Germany. This was the first compact entered into by the victors following the armistice, and it antedated and took precedence over any subsequent arrangement, although incidentally it was confirmed later by article 251 of the treaty of Versailles.

Years passed and our troops were retained on the Rhine by direction of President Wilson and President Harding, against continual protests from and at the expense of the American people, in the hope of lending aid to the beseeching Allies. Finally they were recalled from natural apprehension that the country might again become involved through some untoward circumstance in European quarrels.

Meanwhile the Allies broke their agreement. Operating through their own commission, which controlled the disposition of the funds first received from Germany, France took her allotment of costs of occupation, Italy hers, Belgium hers, and Great Britain was about to take hers when Secretary Hughes, unwarrantably trustful theretofore, suddenly intervened at the last moment and demanded consideration of the pledge to the United States. Recognition of the rightfulness of his claim was vaguely accorded in ambiguous terms, the meeting was hastily adjourned, within a week Great Britain had her allotment, and the till was empty.

That accounts for the claim for \$250,000,000 of "army costs" humbly presented to the conference at Paris by the United States delegates and settled by them upon a basis of nobody can tell how many or how few cents on the dollar, to be derived from hopefully anticipated reparations payments by Germany during an undetermined number of years.

Let us be exact. The text of the agreement relating to the share of annuities allotted to the United States, embodied in Article III of the general agreement, reads as follows:

"A. Out of the amount received from Germany on account of the Dawes annuities there will be paid to the United States of America the following sums in reimbursement of costs to the United States Army of Occupation and for the purpose of satisfying awards to the Mixed Claims Commission established pursuant to an agreement between the United States and Germany of August 10, 1922:

"(1) Fifty-five million gold marks per annum, beginning September 1, 1926, and continuing until the principal sums outstanding on account to the costs of the United States Army of Occupation, as already reported to the Reparation Commission, shall be extinguished. These annual payments to constitute a first charge on cash made available for transfer by the transfer committee out of the Dawes annuities after provision of the sums necessary for service of \$800,000,000 gold marks German external loan of 1924 and for costs of the Reparation Commission organization, established pursuant to the Dawes plan, the Interallied Rhineland high commission, and payment of the Danube commission provided for in the article below, and for any other prior charges which may hereafter, with the assent of the United States, be admitted. If in any year the total sum of 55,000,000 gold marks be not transferred to the United States, the arrears shall be carried forward to the next succeeding annual installment payable to the United States of America, which shall be pro tanto increased. The arrears shall be cumulative and shall bear simple interest at 4½ per cent from the end of the year in which the said arrears have accumulated until they are satisfied.

"(2) Two and a quarter per cent of all receipts from Germany on account of the Dawes annuities available for distribution as reparations after deductions of the sums allotted for priority charges by this agreement, provided that the annuity resulting from this percentage shall not in any one year exceed the sum of 45,000,000 gold marks."

This provision, as will be noted in Article A, covers our two expenditures, to wit, \$250,000,000 plus interest, for Army costs and \$350,000,000 awarded by the mixed claims commissions to German citizens as war damages to be paid by the United States—a total of more than \$600,000,000.

Computation of the present value of payments on the scale thus provided, if duly made, shows an estimate of about \$335,000,000, a reduction of absolutely valid claims of about 45 per cent.

We discussed the position of the war damages last Sunday, and it suffices now merely to recall that under the Berlin treaty the property which they represent must be returned to its owners, despite Mr. Churchill's cynical observation that it might be confiscated.

The financial consequences of the agreement reached in the Paris conference, so far as the United States is concerned, are calculable. We make a minimum sacrifice of between three hundred and four hundred millions of dollars to a certainty, and we add to "doubtful accounts" an indeterminate maximum, for the next generation to reckon with as best it can. That is that.

But that is not all. Indeed, so far as we can judge from views expressed by our foreign friends, and by our own competent traders in other people's savings, it is trifling as compared with the vast advantages to be gained in Europe by enticing into partnership a solvent, prosperous, and hitherto independent concern, to serve theoretically as a "stabilizer" of world affairs, but practically as a bill collector. Whether or not they have now really succeeded, after years of futile striving, is perhaps a question, but one fact is certain. In their own minds there remains no shadow of doubt. With candor worthy of Mr. Loucheur himself, Premier Theunis, of Belgium, did not hesitate to say to the world that "to pay 2¼ per cent to have America's signature in our syndicates is nothing. America might ask 2¼ per cent, or 7½ per cent, to participate in this operation, and we would gladly pay, and this would have been a bargain price, too."

A like opinion, though less impolitic in expression, was voiced by Chancellor Winston Churchill, the wizard of the conference, who rejoiced at "the immense moral weight" added by the United States to the demands upon Germany to pay up, and the newspapers of both London and Paris could not restrain their enthusiasm over their acquisition of a creditor relentless in pursuit of his own 2¼ per cent, along with 98½ per cent for his associates.

"You can think what you like about it," wrote the editor of the Paris-Midi, "but to-day my outlook is rosy, for in the avidity of Uncle Sam I now find happiness. Believe me, it is a good thing that Uncle Sam becomes officially a creditor of Germany. As we have reason to know, he is no slouch as a creditor, and the Germans will find it out as well and think twice before they defy that heavy-eyebrowed person."

"America," declared the London Morning Post in the same complimentary vein, "now has to realize that if she is to receive her money Germany must rigidly honor her bond."

An so on, without limitation, showing the faith of all Europe that it may now and will now rely upon the United States to play the shyllock for 100 per cent of the spoils in return for her graciously granted 2¼ per cent participation.

"This," says the Democratic World, sneeringly, but not without truth, "is the great victory which the Associated Press correspondent in Paris announces that Ambassador Kellogg and Colonel Logan have won. For twenty-five millions cash and in the guise of a grasping creditor, with all Europe divided between soreness over our rigidity about money and laughter over the naïveté of our diplomats, we have sidled into the center of the whole tangle."



So, too, the independent Times perceives that "America's new rôle will not be easy, since every effort will be made to induce her to assume greater responsibilities, and in proportion as she dissents from policies strongly advocated by one or other of the leading nations in connection with the reparations problem she will incur bitter displeasure."

Even the leading Republican organ, the Herald-Tribune, is constrained to agree with the European powers that it is "our manifest duty as a sensible creditor to assist our chief debtors in collecting from Germany, so as to enable them the better to pay us."

We have to confess that when instinctively last Sunday we proclaimed to Secretary Hughes a "Call for caution" we had no premonition of our country being decoyed overnight into such a quagmire of disrepute and danger as this. Nor surely had he, or he would not have forsaken his post. True, after hastening home, he did his best to save the situation by saying to the reporters that there was no "entanglement" in the Paris agreement, but "when asked what would be the attitude of the Government in case Germany fell down and the other signers agreed to impose penalties he was silent," although, according to the World, "Washington officials contended that under the Paris agreement the United States is not required to assist officially in the collection of reparations from Germany, but merely to receive its share from the common pot after the funds come in. Reduced to a simple formula, the administration's position seems to be that the only part the United States is called on to play is that of receiver of German gold marks, transmuted into a million dollars, the Allies doing all the work."

But even this faint ray of hope quickly faded. On the same day, Friday, came a dispatch from the Paris correspondent of the Times to the effect that, "as the time came to sign, Ambassador Kellogg, Secretary of State designate," obviously without foreknowledge of the attitude of other delegates, arose and asked the conference to agree to the American delegation signing with the reservation that the Washington Government was bound "only in so far as the rights of the United States were concerned."

The responses were quick and positive. The correspondent continued:

"Winston Churchill, the British Chancellor of the Exchequer, immediately objected that it had been understood throughout the negotiations that the United States would sign the whole agreement, which would thereby make her a contracting party of the Dawes plan."

"Finance Minister Clementel, of France, took the same stand as did Premier Theunis, of Belgium, and Finance Minister Stefani, of Italy, who agreed that the United States could not expect to collect from allied reparations payments and stand absolutely from under all responsibility."

"Before this united stand and evidently fearing embarrassing our complication on the conference, Ambassador Kellogg withdrew his reservation and, together with Ambassador Herrick and Col. James A. Logan, signed the whole agreement."

"This incident," the correspondent added, "is now in the records of the British Foreign Office and the Quai d'Orsay, and it may be expected that if the issue of German default and corresponding responsibilities arises it will be called to the attention either of Secretary of State Kellogg or his successor."

"In French governmental circles the fact that Ambassador Kellogg, who was neither head of the American delegation—Ambassador Herrick holding that titular post—nor the chief negotiator, who was Colonel Logan, made this reservation and then withdrew it on his own responsibility, is taken to mean that it was not made on instructions from Washington, but on his own initiative as the next Secretary of State."

"The French believe that Mr. Kellogg went away to-day from Paris with full realization that the signature of himself and his colleagues had definitely committed the Washington Government to partnership with the Allies in collecting reparations from Germany for the full duration of the Dawes plan."

So here we are, pledged to intervention in the cockpit of Europe, at the instance of others, during the next half century, stalled, if you please, in a corral "horse high and hog tight."

It is inconceivable that a staunch American like President Coolidge could approve an arrangement so utterly opposed to all of our country's traditions, principles, and practices. But how can he reject it without discrediting the Nation and incidentally repudiating his own Secretary of State designate? And how could Mr. Hughes, though now virtually superseded apparently, advise him with propriety to pursue such a course?

A way out may be found in the statute prohibiting commissions appointed by the President from making binding agreements or in the legal view that agreements such as that of Paris constitute treaties in effect and must be ratified by the Senate. But either of these contentions is at least doubtful.

Verily, a predicament, strange, unprecedented, and full of peril!

#### THE BYSTANDER

May we address ourself, with all respect, to the good and sincere women about to gather in our midst?

They are coming here to try to prevent future war, and as one of the chief means to that end to plead, urge, entreat, coerce, perhaps even to cajole, the Senate into ratifying the protocol which will make the United States a member of the World Court. It is a high and Christian ambition to save future generations from the horrors of war. In honest admiration we share it. Without being a pacifist, we loathe and abominate war—even the thought of it. There is nothing pretty about war. It is horrible in every aspect. In its train is misery, suffering, desolation. Man has fought from time immemorial, perhaps he may continue to fight until the end of time. But that is no proof that war is right or even necessary.

Frankly avowing our detestation of war, we take, we may modestly claim, a practical view of the question. We are not ashamed to admit our idealism, but a man may be an idealist and still not lose his hold on realities. To talk of the outlawry of war is—let us not be harsh, but simply call it bunk. You can no more outlaw war than you can outlaw malice and all uncharitableness. The world has made its progress not by drastic codes any more than it has by dreaming Utopia. Progress is practicality. Lowell's satirical gibe that "civilization rides upon a gun carriage" is not true and never was true. Civilization rides in the car of commerce. Progress is brought about by man discarding unprofitable methods for those that pay. It sounds sordid, but it is the truth. The victor enslaved the vanquished, falsely believing he was getting cheap labor, while slave labor was of all labor the most uneconomical. Let us hold fast to the verities.

The World Court may be made a very useful institution. It is one of the instruments of progress. It is a noble conception. But it will not revolutionize human nature. There is never anything catastrophic about human nature. It is a plant of slow and painful development. It toils with faltering and weary steps ever upward. It has come to its present stage by cautious experiment. It has tested and rejected many nostrums. It has clung to a few fundamentals. When nations are convinced there is no profit in war there will be no war, and not before. That time has not yet come.

What we object to is that ignorance and emotion should run riot. Many good men and women honestly believe that if the United States enters the World Court there will be no more war. That is like offering a quack remedy to the suffering. It raises hopes that can not be realized. It brings disappointment and despair; worse than that, it makes the victim distrust the honest doctor and scoff at his treatment.

What is the World Court? We ask the question because, without being offensive, we believe that the majority of the people who insist the United States must become a member have really little knowledge what the court is or its precise powers and authority. With a more elaborate machinery it is, so far as practical results are concerned, only a magnified tribunal of arbitration. Arbitration of disputes between nations, as between individuals, is as old almost as civilization itself. When there was a trivial war which was not great enough to be cause for war, two nations agreed to submit to a third its contention and to abide by the decision. It was cheaper than fighting. But it was always a voluntary submission.

The World Court stands on a similar basis. We heard a man say in a public meeting if the World Court had been in existence in 1914 there would have been no war, because after Austria had dispatched her ultimatum to Serbia, the latter would have gone to the World Court, which must have decided against Austria. We like to think the man was a fool rather than a knave; that he thought he was telling the truth rather than exposing his ignorance. What this man assumed could be done as a matter of course, Sir Edward Grey, then the British Secretary of State for Foreign Affairs, was so desperately striving for to prevent war and failed. He proposed arbitration; any method that would be satisfactory to Austria and Serbia was agreeable to him. Austria refused; her national honor, she said, was at stake, and she could not discuss it or submit it to the consideration of an outsider. Sir Edward Grey could do nothing more, and Austria attempted to clean the stain from her national honor with the sword.

That is the weakness of the World Court. There is no way by which the defendant can be brought before the bar. He may go there if he is willing, and he will always go there if the question at issue is of minor importance, and he never will go there if the risk of penalty is too great. It is precisely as if you appointed a magistrate and gave him no police to bring the malefactor before him. How much fear would the thief have of the law if the law was given authority to pass sentence and was powerless to enforce it? When two men or two nations have no desire to seek a quarrel they do not have to invoke the assistance of society; it is only when a man or a nation is a bully or dishonest that the weaker man or nation must appeal for protection to the community or the world at large. In what way is the moral tone of society elevated or the innocent victim helped by being piously told: "It is all very wrong and the aggressor is in-



famous, but all we can do about it is to tell him what we think and preach a highly edifying sermon." A man who has knocked you down because he is stronger and stolen your purse has a wholesome respect for an even stronger policeman, or two or a dozen policemen if necessary, but in snug possession of your purse he laughs at sermons and proceeds to enjoy his ill-gotten gains.

If you asked a woman whether she was willing to have the city pay the salary of a police court judge before whom wrongdoers came if they felt like it and stayed away if it was more convenient, her common sense would quickly supply the answer, but when you talk to her about the World Court she allows her emotion to control her reason. We do not discourage the expression of emotion in women; it is their charm, and a woman without emotion is as flabby as a dead fish and as uninviting; but something more than emotion is necessary to quicken a good deed in a naughty world. There are the practical questions of statesmanship and the interests and security of a nation to be protected.

The World Court is an ideal conception in a world that has not yet reached the perfection of idealism, alas!

[From the Washington Post January 25, 1925]

HUGHES TO RESCUE—BOLDLY ATTEMPTS TO SOLVE PROBLEM—NOT YET SUCCESSFUL—SENATE BARS THE WAY—IS THE PARIS AGREEMENT A TREATY?—A POSSIBLE WAY OUT

(By George Harvey)

It is most gratifying to be able to record that the turbid atmosphere which last week enveloped the Paris agreement of the allied and associated powers is in process of clarification. The chief contributor to this highly desirable advance in better understanding was Secretary Hughes who, immediately upon his return from the South, with admirable promptitude and characteristic decisiveness, abandoned his accustomed rôle of anonymous spokesman for himself and issued the following terse statement:

"The portion of the agreement reached at the recent conference in Paris which relates to the participation of the United States in the Dawes annuities has already been published in the newspapers. The full text of the agreement is on its way to this country and will be published as soon as received. In the meantime it may be said:

"(1) The Conference of Finance Ministers held at Paris was for the purpose of reaching an agreement as to the allocation of the payments expected through the operation of the Dawes plan. In view of the inclusive character of these payments it was necessary for the United States to take part in the conference in order to protect its interests.

"(2) The conference at Paris was not a body, agency, or commission provided for either by our treaty with Germany or by the treaty of Versailles. In taking part in this conference there was no violation of the reservation attached by the Senate to the treaty of Berlin.

"(3) The agreement reached at Paris was simply for the allocation of the payments made under the Dawes plan. It does not provide for sanctions or deal with any questions that might arise if the contemplated payments should not be made. With respect to any such contingency the agreement in Paris puts the United States under no obligation, legally or morally, and the United States will be as free as it ever was to take any course of action it may think advisable.

"(4) The agreement at Paris neither surrenders nor modifies any treaty right of the United States."

While this interpretation, thus boldly put forth by the Secretary, of a document, the text of which he had not read, could hardly be regarded as wholly satisfying, it nevertheless served a useful purpose in notifying European governments and peoples that whatever, if any, commitment of the United States had been made by the acquiescence of the Secretary of State designate was thereby annulled by a dictum of the Secretary of State de jure and de facto for the next five weeks.

It was high time. Exultation at having at last inveigled the United States into the discordant concert of Europe, so far from subsiding upon reflection following the first burst of unwarranted enthusiasm, was swelling in volume to a degree likely to prolong misunderstanding indefinitely and dangerously. So late as the very day on which Mr. Hughes was composing his declaration of independence, the powerful British publicist, Mr. James L. Garvin, was acclaiming in the columns of Viscount Astor's Sunday Observer the beginning of "a new era as measured by a responsible witness, no less than Mr. Kellogg, in a few weeks to become the President's right hand at Washington."

"America," he continued, "in consenting to receive a share of the Dawes annuities assumed direct and inevitable responsibility for the working of the scheme."

"Assuming that the Dawes plan should collapse and sanctions become necessary, how could the United States decline to mediate and cooperate without compelling France to occupy the Rhine again? It is vital to the reputation and interest of the United States to make the Dawes plan work, and there is no present need to paint the devil on the wall."

Far better no doubt, from the British viewpoint, to pass the buck from John Bull to Uncle Sam!

"America reenters Europe," was the heading in the London Sunday Times, which, not to be outdone in ecstasy by its rival, spoke even more joyously, as follows:

"The Paris conference will make history, because through it contact has at length been reestablished with America. The representatives of the United States who attended it were there not as observers but as active participants. They had the same official standing and carried the same credentials as Mr. Churchill or M. Clémentel.

"After five years of diplomatic neutrality, if not of diplomatic aloofness, the United States has reentered Europe. She has ranged herself again with the powers by whose side she fought in the Great War.

"The United States now has what she has not had before, a governmental stake in the success of the Dawes plan. To that extent she has ceased to hover on the outskirts and is back again in the center of the arena, a very welcome coadjutor. From that position there can be no retiring, and it may be that events will compel a further advance.

"We are quite content to leave it at that."

"To have contrived the official participation of the United States" (without presumably the consent of the Senate), the Sunday Times gratefully concluded, "is probably the last important act of Mr. Hughes's term as Secretary of State, fruitful and illustrious beyond any in American history."

But it wasn't. Far more important and far more illustrious was the Secretary's dictum, put forth on the very next day, that the great expectations aroused by Ambassador Kellogg's signing on the dotted line were wholly illusory and unrealizable.

A chill followed the fever. Instantly the foreign office announced that "Great Britain does not desire to entangle the United States in European affairs any further than the United States desires to participate in European affairs," without, however, waiving her claim of her right to do so if occasion should arise in the future, and the newspapers promptly soft pedaled all manifestations of jubilation.

France was hardly less dumbfounded by the Hughes pronouncement than by recent hints that financial obligations ought not to be wholly disregarded. Indeed, said Mr. Wilbur Forrest in his cablegram to the Herald-Tribune, "the widely published reports of Senate activity and George Harvey's editorial are astounding to the French, who are utterly unable to understand the political phases of the argument. The French are still of the opinion that the United States signature to the financial agreement is morally worth five army corps on the Rhine and the greatest argument for Germany to carry out her obligations.

"Few Frenchmen with whom I talked considered the United States involved to the extent of sending an ultimatum to Germany in case of a default, but they hoped that the United States would join in a joint allied move against any German attempt to evade the Dawes plan. This phase of the situation, more than the actual hope that the United States is ready to go to war against Germany to collect her 2½ per cent of the Dawes annuities, led most of the allied delegates at the conclusion of the conference to issue statements tending to say that the United States was finally 'hooked.'

"To-day, however, with JOHNSON, BORAH, and Harvey utterances in the Paris press, the Frenchmen are bewildered and admit it, though they were equally astounded by Secretary Hughes's denial that the United States is even morally concerned over whether Germany pays France or not."

It may be remarked in passing that on the following day, possibly to distract attention from this appearance of obtuseness, Deputy Louis Marin made a remarkably lucid and highly enlightening exposition of the real attitude of France with respect to settlement of her debt to America; but of that, at some length we fear, anon!

Our excuse for refraining from attempt to analyze and discuss the famous agreement on its merits is plain and should suffice. We have not the text. In point of fact, speaking with full candor, we have been and still are as dependent upon the newspapers for information respecting the contents of the document as the State Department itself.

Even the "digest" prepared by Colonel Logan and cabled regardless of expense, according to the Paris correspondents, on the day Mr. Hughes presented his opinions, is not yet as available as income-tax returns.

True, on January 20 the Herald-Tribune, in commendable performance of its organic functions, "obtained by cable, as soon as it learned that the transmission of the text of the agreement through official channels to the State Department would be by mail, and therefore considerably delayed," some articles in full and others in summary, but the context in papers of this character is often too vital to justify explication in part.

But whatever may be the final judgment of the give and take inevitably involved in compromises of this nature, we frankly can not escape a misgiving as to the finality of the Secretary's conclusions which impel the President to regard the transaction as "a closed incident."

Nobody, we imagine, will question Mr. Hughes's assertion that it was "necessary for the United States to take part in the conference



in order to protect its own interests," but when he declares that in so doing "there was no violation of the reservation attached by the Senate to the treaty of Berlin," he surely opened the door for discussion by that somewhat obdurate body which never fails to maintain its prerogatives as a partner in the treaty-making power.

The reservation referred to by Secretary Hughes reads as follows:

"Subject to the understanding, which is hereby made part of the resolution of ratification that the United States shall not be represented or participate in any body, agency, or commission, nor shall any person represent the United States as a member of any body, agency, or commission in which the United States is authorized to participate by this treaty unless and until an act of the Congress of the United States shall provide for such representation or participation."

Inasmuch as both of our claims presumably settled in Paris do unquestionably fall within the compass of the treaty of Berlin, it is presumed that Mr. Hughes upholds the authority of the commission, comprising two ambassadors and an employee holding no official position, upon the technical ground that it does not answer to the definition of one "authorized by this treaty."

Senator BORAH, it is understood, and Senator JOHNSON, it is certain, insist upon a broader interpretation.

Whether the agreement does or does not put the United States under a moral obligation is a matter of opinion and clearly in dispute between Mr. Hughes and many others abroad and at home, including several Senators supposed to be versed in international law. Neither of these points in controversy is likely to be passed over without debate in the upper Chamber.

But the chief contention, if unhappily one should arise, between the Executive and the Senate, will be that which impelled President Washington to leave the Chamber in high dudgeon, never to return, and has raged ever since, over not only the true meaning of "advice and consent," but also what really constitutes a treaty. Mr. Hughes maintains that this particular arrangement does not fall within the category. Mr. BORAH is equally positive that any international agreement entered into by the United States is, in effect, and can be nothing else than a treaty requiring ratification by the Senate.

Oddly enough, Mr. Kellogg seems to agree with Mr. BORAH, since, according to the Paris correspondent of the New York Times, quite contrary to the apparent design of Mr. Hughes to keep the business exclusively in the hands of the Executive, "the Allies are congratulating themselves that they did not accept Ambassador Kellogg's proposal that the agreement should be made subject to ratification by the American Senate"—a truly extraordinary interference in our governmental procedure, induced doubtless by their previous experience with that august body.

Consequently, while, according to Secretary Hughes, high praise for his bold and admirable endeavor to solve the problem should be accorded to his prospective successor, it is impossible to escape the conclusion that what we termed last week "a predicament, strange, unprecedented, and full of peril" still exists.

Meanwhile the portentous document is wending its leisurely way across the ocean, and is due to arrive so short a time before the advent of its author that the President may decide to await the first-hand information which can be obtained by either the Executive or the Committee on Foreign Relations from the Secretary designate himself.

That might prove to be "the way out," perhaps the only way.

God speed it and him!

Mr. JOHNSON of California. Mr. President, there was one significant thing that occurred in Paris as expressed in the newspaper dispatches concerning which we know little or nothing. In order to be fair to the State Department I want to say there was a qualified denial, but, as I understand what has been printed in the press, there was no absolute denial at all of the fact that at Paris when the American delegates came to sign this agreement something occurred in the nature of an attempted reservation by Ambassador Kellogg, something which will be of controlling importance when years hence we come to construe this document to determine what the United States is bound to do under it.

It was stated in the dispatches which I have here—I have some confirmation from a private source, but I do not refer to that and I do not depend upon that in making these remarks—I have here certain statements contained in the dispatches which came across the ocean during the time of the signing of the agreement which, to put the matter very briefly, demonstrated or indicated that Mr. Kellogg asked that he be permitted to sign the agreement with a reservation that America would be bound only in respect to matters in which America was concerned. I do not state it now with absolute exactness, because I am trying to hurry through these remarks, but, in substance, Mr. Kellogg desired a reservation be made by which America could hold herself aloof in the future if it came to the question of the enforcement of the particular agreement. The instant, say the dispatches, that Mr. Kellogg offered this reservation, that very instant Mr. Churchill was on

his feet repudiating it; Mr. Clementel was on his feet denying it, and Mr. Theunis, of Belgium, was on his feet saying: "You can not do it; you can not do it"; and Mr. Kellogg, according to the dispatches, pocketed his reservation and signed the agreement without any reservation being made at all.

I do not assume to say that a wholly correct version has been given in the press; I do not assume to say, sir, that what I have stated here is entirely accurate. I am stating what has happened of necessity from newspaper accounts, because, although the reply of the Secretary of State contains a wealth of information that will require weeks for us to digest, I find nothing in it concerning the particular incident of one sort or another. But, sir, assume for a moment that Mr. Kellogg did seek a reservation to the agreement, what does it demonstrate? It shows conclusively what was in that astute lawyer's mind when he was signing the agreement. And the repudiation of it is the complete demonstration of what was in the minds of the other signers of the document when they would not permit a reservation of any character to be appended to the document. That, if it occurred, was a contemporaneous construction of this document that will return to plague us. I repeat again and again, so that I may not be misunderstood, that I am depending upon press dispatches, and upon press dispatches alone I predicate what has been said in this regard.

It is an unfortunate thing, sir, that we should not know everything that happened at Paris. What a strange sort of commentary it is upon the great democracy of the world that we in this Chamber learned from the London Times the terms of the agreement that was signed at Paris! A copy of the agreement taken from that journal was put into the Record by the Senator from Minnesota [Mr. SHIPSTEAD] more than a week prior to a response by the Secretary of State to our inquiry. What a strange thing it is, sir, that in this democracy we do not know what we are doing abroad and have not the slightest conception of what our representatives are signing at Paris until advised from Paris by cable dispatches in the newspapers! And generally our information of what happens there is first derived from foreign newspapers, and then American newspapers tell us something of what has occurred. What a strange thing, Mr. President, that during the week of felicitation and congratulation, when all Europe rang with praises and sang this concert of hosannahs because "America had come back into Europe"—what a remarkable thing that during that week of thanksgiving in Europe that "America had come back and was here once more," we never heard a word in the United States of America of what America had done or what America had contemplated or what America's fate might be in the future; and it was only after that distinguished patriot and that great diplomat, George Harvey, in his Sunday article printed what he did concerning what had transpired abroad that we got the forthright and direct statement of the Secretary of State as to the participation and responsibility of the United States. What a strange commentary it is upon this freedom of ours, of which we boast; what a strange commentary it is upon our vaunted knowledge, greater knowledge we insist than exists with the people of any other government on earth, that the French newspapers published on the 14th and 15th of January this agreement and commented upon it; that the London Times printed this agreement on the 15th day of January and commented upon it, and that there was only one country that was a party to it—just one—that did not understand it and know its terms and all about it! I have no doubt the agreement was published in Rumania and in every other country that was a party to the agreement, and many of them were parties to it; I have no doubt it was published in every one of them; but we have it at last; it has been printed in the CONGRESSIONAL RECORD. Congratulate yourselves, Senators, that we got it into the CONGRESSIONAL RECORD through the London Times of January 15. Victory for the Senate! Victory for our democracy! Our people knew the terms of the agreement only when it was put into the Record from the London Times, published on the 15th day of January, 1925. It is a glorious thing, perhaps, that some of you take the London Times. I do not know where the Senator from Minnesota obtained his copy of the London Times, but it was of value to us, for it gave us in the CONGRESSIONAL RECORD, the official record of what transpires in Congress, the document we desired. So much for that, sir. I leave the second of these propositions to you, Senators, who are familiar with constitutional law and who may be jealous of the prerogatives of the Senate.

I wonder if there are any Senators now who are jealous of the prerogatives of the Senate? I wonder more, sometimes, whether there are any men in public life who are jealous of



the rights and the future of the American people. But if any of you here are jealous of the prerogatives of the Senate, jealous of the prerogatives of the Congress, if any of you here like to prate about your Congress and what it does, let me commend to you what was done in Paris in taking a liquidated debt of the United States—read Mr. Churchill's statement about it—reducing that debt, and settling it exactly as Mr. Kellogg and Mr. Herrick and Mr. Logan, excellent gentlemen all, desired to settle it at Paris.

Congress? Congress? Congress? Why recall the New Haven speech of the distinguished Secretary of State when he was speaking of debts due the United States, and when he said:

The administration must also consider the difficulty arising from the fact that the question of these obligations which we hold, and what shall be done with them, is not a question within the province of the Executive. Not only may Congress deal with private property of this sort but it has dealt with it.

He was referring then, I ought in fairness to him to say, to the debts that were due us from the nations of Europe, really other than Germany; and with regard to these debts that were due us from other nations he said it was a matter for Congress to deal with them, and that the Executive had nothing to do with them. In dealing with the debt due from Germany to us Congress has nothing to do with the matter, and the Executive, under the authority of the Boxer rebellion claims, may deal as it sees fit!

These things I leave with you. My purpose, in closing, I say has been this: I have been trying to present the facts as they appear from the publications abroad and those at home. I have been endeavoring, sir, while accepting fully and absolutely the statement of the Secretary of State and the position that I assume to be that of the present Republican administration, to point out what may possibly occur in the future. I have been endeavoring, sir, to arouse, if I am able to arouse, a little of interest in my brethren in a question which may become harassing and most important to the United States in the days to come. I have been endeavoring, sir, if I can, to arouse in them that activity from which expression may be had in order that there may be no mistake among those with whom we are upon terms of amity and friendship as to the action of the United States in the future. I have been endeavoring, sir, in a record here, so far as I could in my feeble fashion, to point the way to put upon notice those who may claim otherwise concerning the responsibility of the United States of America under the agreement which has been signed at Paris.

I deny, sir, the responsibility of the United States of America under that agreement or under any agreement. I deny, sir, the right of any man or any set of men, ambassadors to England or to France, as the case may be, or officers of the Army, to tie the United States into that which is occurring in Europe to-day. I deny, sir, the power even of the Executive of this Nation to take this country into a political turmoil or political entanglement out of which there may come in the days in the future either the treasure of this Nation or out of which there may be a drain upon the blood of America. I deny the right of any and of all to embroil this country in the mysteries abroad and in Europe's difficulties over there. I spurn, sir, with the utmost contempt, the right of anybody, for a 2½ per cent indefinite part of reparations in an uncertain future, to take this Nation of ours and make it a collector for all Europe of Germany.

I deny that there is any such power in any committee, in any ambassador, in any Secretary of State, or in any President, sir; and denying that power, holding the views that I hold upon this question, hoping in some little degree to arouse something of the spirit that ought to exist in this body; hoping, sir, to arouse a bit of the American people to the perils that they must confront in the future if these European gentlemen are correct in their interpretation, I have risen here, in no spirit of hostility or enmity or politics at all, to speak what is in my heart, and to do what little God gives me the power to do to keep America as America has ever been and as I ever want America to be. [Manifestations of applause in the galleries.]

#### GOOD ROADS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4971) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes, approved July 11, 1916," as amended and supplemented, and for other purposes.

Mr. STERLING. I ask that the pending amendment be stated.

The PRESIDING OFFICER. (Mr. JONES of Washington in the chair). The Secretary will state the amendment.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll. The roll was called, and the following Senators answered to their names:

Ashurst	Fernald	Ladd	Shipstead
Ball	Ferris	McCormick	Shortridge
Bayard	Fess	McKellar	Simmons
Bingham	Fletcher	McKinley	Smith
Borah	Frazier	McLean	Smoot
Brookhart	George	McNary	Spencer
Broussard	Gerry	Mayfield	Stanfield
Bruce	Gooding	Means	Stanley
Bursum	Hale	Metcalf	Sterling
Cameron	Harrell	Moses	Swanson
Capper	Harris	Neely	Trammell
Caraway	Harrison	Norris	Underwood
Copeland	Healin	Oddie	Wadsworth
Couzens	Howell	Overman	Walsh, Mass.
Curtis	Johnson, Calif.	Pepper	Walsh, Mont.
Dale	Johnson, Minn.	Phipps	Warren
Dial	Jones, N. Mex.	Pittman	Watson
Dill	Jones, Wash.	Ransdell	Wheeler
Edge	Kendrick	Reed, Mo.	Willis
Edwards	Keyes	Reed, Pa.	
Ernst	King	Sheppard	

The PRESIDING OFFICER. Eighty-two Senators have answered to their names. A quorum is present.

Mr. REED of Pennsylvania. Mr. President, I ask that the pending amendment be stated from the desk.

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The READING CLERK. On page 2, line 3, it is proposed to strike out "\$75,000,000" and to insert "\$60,000,000."

Mr. REED of Pennsylvania. Mr. President, this amendment and the amendment which follows it will reduce the amount of the authorization for 1926 from \$75,000,000 to \$60,000,000, and the amount of the authorization for 1927 from \$75,000,000 to \$50,000,000. The purpose of offering these amendments is to set the Federal Government toward getting out of this business of raising money for expenses of the several States.

It seems to me that the President, in his Budget message, was entirely right when he said that this is in effect breaking down the sovereignty and self-reliance of the separate States of the Union. I do not feel so much compelled by the argument that the larger States of the East are bearing the greater part of this burden. It seems to me necessary that they must bear the greater part of the burden of all Federal expense, because in them is the greatest part of the wealth of the country. I offer these amendments because it seems to me that this is not a proper Federal expense, and that the sooner the Federal Government gets out of this business of State subsidies the better for all concerned.

Mr. PITTMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Nevada?

Mr. REED of Pennsylvania. I yield for a question.

Mr. PITTMAN. I agree quite heartily with the Senator in regard to maintaining State sovereignty, and I desire to call his attention to the fact that the West was forced into federalism by reason of the fact that the land upon which the States generally depend is used by the Federal Government for forest reserves, national parks, and Indian reserves, and the public lands are withheld from taxation. I merely call that to the attention of the Senator so that he may see the unfortunate position in which we still find ourselves.

Mr. REED of Pennsylvania. I am glad the Senator called attention to that, because it gives me a chance to qualify what I have just stated. I believe that where the Federal Government preempts, or retains in its control, a large part of the area of a State, it is entirely proper that it, like any other property owner in the State, should join in the burden of constructing the public roads of the State. But there is no excuse, in my judgment, for the Federal Government granting to the State of Pennsylvania any amount for the building of Pennsylvania roads. The State of Pennsylvania contains no Government lands in any appreciable quantity, except an occasional military reservation, or a post-office site. The State of Pennsylvania is perfectly able to build its own roads, and it ought to do so. What is true of my State is equally true of all of the States of the Union in which the Government has not preempted a large part of the area, as it has in Nevada, for public lands or public reservations, or Indian reservations, or other reservations of one sort or another. I draw a sharp distinction between a State like Nevada, in which more than three-fourths of the area is still retained by the Federal Gov-



ernment, and the greater number of States in which that condition does not exist.

It seems to me that getting the Federal Government out of this business of subsidizing the States ought to appeal to every man who has at heart the fundamental doctrine of State rights. It seems to me that at the present time the very independence of the States is being bought away from them by this method. It is only a few days since several of the officials of Pennsylvania who are interested in road construction came to this city to ask the permission, if you please, of a Federal official to improve a road in Pennsylvania. Such a condition of affairs is shocking. Any system that will lead to such a loss of independence as that seems to me to be unfortunate, and the quicker we get out of it the better it will be for the self-reliance of the States and, needless to say, the better it will be for tax reduction and economy on the part of the Federal Government.

Mr. BROOKHART. Mr. President, I have been very deeply interested in the remarks the Senator from Pennsylvania has just made. I myself believe that the States are losing a good deal of their independence, but I do not think they are losing it through Federal aid. I do not say that I am favorable to the Federal-aid proposition, but the independence of these States is lost through the economic situation in the United States.

Every State in the West is paying tribute on everything to Pennsylvania and to New York because of our economic organization. Our transportation system, controlled in the eastern section where the great wealth is accumulated, collects a large tribute from all the States of the Union, and it all goes back to New York, Philadelphia, and Pittsburgh, and those cities are built up by this tribute which they are collecting.

Mr. REED of Pennsylvania. Mr. President, will the Senator yield for a question?

Mr. BROOKHART. I yield.

Mr. REED of Pennsylvania. Was not the West very glad to get the money to construct those public utilities?

Mr. BROOKHART. Yes; and I will just give you an instance showing how they got it. Take the Union Pacific Railroad. They got about \$30,000 a mile from the Government to start with. They sold about that much more in bonds, and then they sold about \$10,000 a mile of stock. They sold nearly all of that to the western people, about \$70,000 a mile altogether, and it cost about \$30,000 a mile to construct the road. That is the way they got the money from your folks to build our roads. You came out and took 158,000,000 acres of our land—I believe that was the quantity—and donated it to these railroads. One-seventh of the State of Iowa was given to the railroads. Taxes were levied in towns and townships, bonds were issued by counties all over the West, and out of the money which we put up, buying your bonds and paying your taxes, you built roads; but after you built them you owned them back in New York. We did not own them out West. The headquarters of a railroad may be out in Iowa, but the headquarters are always back in New York. [Laughter.]

Mr. COPELAND. Mr. President, may I ask the Senator if the New Yorkers did not leave the road out there?

Mr. BROOKHART. Yes; and then New York created an Interstate Commerce Commission to charge us all the operating expenses of the road, and then 5¼ per cent return upon a valuation which is at least one-third water to-day—5¼ per cent—which is more of a percentage than it is possible for the American people, for American capital, for the American unearned increment to earn; which is more than the total increase of wealth in the United States as a result of all the work of all the people and of all the earnings of all the capital.

Where I disagree with the Senator from Pennsylvania is in this: I would like to double that appropriation, make it \$150,000,000 instead of \$75,000,000, and then cut out the State aid. That would do something like justice to these outlying States, and anything short of that is not justice.

Take a farmer out in Iowa to-day. What can he do? What use has he of a hard road which runs right past his own farm? He does not dare turn his pigs or his cattle or his horses out on the road. They would get run over by somebody from Pittsburgh. [Laughter.] If he drives his team on that road, he has to get off to one side to let the big Pierce Arrow cars go by. The hard road is a positive nuisance to him in the use of his farm. It is also a benefit, but not all benefit. Not only that, but we levied an assessment on those farms at 25 per cent of the cost, and practically every farmer on whom the assessment was made has been unable to pay it, and his farm has been sold at tax sale. That is the situation out in the best agricultural spot in all this world.

Mr. President, there is something about this relativity proposition that does not work out in favor of the little fellow.

Consider our banking system. I was talking with the vice president of a big New York bank yesterday, and he told me how he had climbed up from a one-mule farmer down in Tennessee to be vice president of that great bank. I asked him where he got the money in his bank. He said he got it from Tennessee, from Iowa, from Illinois, from the Dakotas, and from all over that country out there. Where does he lend it? He lends it to the stock brokers and the stock gamblers down in the Wall Street crowd at from 2 to 3½ per cent. That is our money again, collected and loaned to those people in that way, and while he is doing that our farmers out West are paying 6 per cent, and in some States 10 per cent, and in some even 12 per cent for their bank loans.

Senators will all remember what happened down in Wall Street following the recent election. Stocks and bonds went up. I saw in one estimate that they had gone up over \$3,000,000,000, and they went up a billion or so after that, which again means that the producing people of this country—the western people—must pay the dividends and the returns upon that fictitious value which is created down there in that market. That makes another tax and another demand on the people of Ohio, and of Indiana, of Illinois, and of all of the other Western States, as well as the people of the Southern States.

Our economic organization is built up in that way, and our outlying people in every direction are paying tribute to that system. Our banking system is a monopoly of credits. If a farmer wants to organize a cooperative bank, he can not do it under the law of the United States. He can not do it under the law of any State in this Union. He can not organize a purely and truly cooperative bank anywhere. He has no right under the law to organize his own deposits in any cooperative bank system under his own control in the United States. He is tied fast to this competitive system which centers in New York and runs through Pittsburgh.

The same is true all the way through. We have a protective system for the industries of the East. We have a protective system for the railroads, as the result of a law which fixes a valuation for them 50 per cent above their market value at the time that market value was fixed. We have a protective system for the public utilities which fixes a return to them of from 6 to 8 or 10 per cent upon their invested capital, and I want to say again that all the earnings of all capital and all labor and everything else, all the unearned increment, and all increase in property value, and all depreciation of the dollar and everything else that affects it, from 1912 to 1922 only increased the national wealth by 5½ per cent a year. There is something out of balance. There is something taking our independence. It is this economic system, which is built upon these theories, while it leaves the great agricultural population to struggle with the competitive markets of the world.

Mr. President, I want this amendment to be voted down, and if I have a chance, I will offer an amendment to make that appropriation \$150,000,000, and we will end the State aid, leaving them entirely independent and let the Government build its roads, as it ought to build them.

Mr. REED of Pennsylvania. Mr. President, I am very glad the Senator from Iowa has spoken just as he has, because he has given me an illustration that is most apt. Should it not be obvious to all of us that if we go on in this way, centralizing power here in Washington, and exposing the States each day, in a new way, to control from Washington, it will not be very long, with all power centralized here, before a majority of the States will tear with their fangs, as the Senator would have them, at any State that for the moment appears to be prosperous? Let your cotton crop sell at a high figure and all of the rest of us, like wolves dashing at a piece of meat, must get together and take from those temporarily fortunate cotton States taxes in one form or another to apply to the wounds of the States that are not at that moment so prosperous. The Senator's argument illustrates as forcibly as any human words could illustrate the wisdom of those ancestors of ours who kept to the separate States a complete measure of independence from such attacks as that.

I remember the time when corn and wheat and the other products of Iowa were selling at a high price, and the products of my State were sternly held down by governmental regulation, and it seemed to me it would be mighty nice if Pennsylvania could in some way get for her people those Iowa products at a lower rate. I can remember when their farm lands in Iowa jumped to three and four times what they had been the year before.

We all remember those days in the time of the war. Mill property and much of the property in the East was not rising in the same way, and it seemed to us that they were the



avored of the earth, just as it seems to them now that we are. What I mean to say is that if we are going to subject each of the States to the unrestrained rapacity of the others our Union can not last, and what the Senator from Iowa has said illustrates the point better than anything I myself could say.

Mr. FLETCHER. May I inquire of the Senator if he does not lose sight entirely of one of the purposes of the roads, the post-road feature, which the Government itself, of course, inaugurated?

Mr. REED of Pennsylvania. I do not forget that the theory on which this is done is the post-roads clause of the Federal Constitution. It seems to me that that is more an excuse than a reason for the appropriation. We might as well argue that the Federal Government should pave the streets of New York City because Federal mail trucks use them. We might as well argue that all the road repairing and road construction should be attended to from Washington, provided that a mail truck or rural delivery carrier used the road to be repaired or constructed. Those are excuses, not reasons.

Mr. STERLING. Mr. President, I hope the amendment of the Senator from Pennsylvania will not prevail. I think the Senator from Pennsylvania, as well, perhaps, as a few other Senators, are inclined to base their objection to the bill on the wrong theory or principle. This is not, as the Senator from Pennsylvania characterizes it, a subsidy of the National Government to the several States of the Union, nor is it destructive of the initiative on the part of the authorities of the several States of the Union. It may invite the exercise of initiative on the part of highway authorities in regard to the construction of roads, but it does not destroy initiative.

Why is this not a subsidy of the Federal Government to the States? It is because every added facility for the transportation of the commerce of the country, the products of the country, to the great markets of the country helps in the building up of the Nation. It means national wealth, it means national welfare, and it means the prosperity and wealth of New York, Philadelphia, Boston, Cincinnati, Chicago, and other great cities of the East and Middle West which are dependent to a great extent upon these commercial facilities. So what we are doing here is in promotion of the national welfare.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. STERLING. Certainly.

Mr. NORRIS. I must apologize to the Senator because I was called out of the Chamber and returned just in time to hear the latter part of the remarks of the Senator from Pennsylvania. I would like to know what the amendment authorizes. What is the amendment, and what does it provide for?

Mr. STERLING. On page 2, the Senator from Pennsylvania would by his amendment strike out in line 3 the figures "\$75,000,000," and insert "\$60,000,000," and in line 5 he would strike out "\$75,000,000," that being the authorized appropriation for 1927, and insert "\$50,000,000." It would reduce the authorization to that extent.

Mr. FESS. Mr. President, I appreciate the position taken by the author of the amendment, and have some sympathy with the policy he wants to introduce. I take it the policy means that ultimately in a definite time we shall discontinue Federal aid to road building.

I come from one of the States that would be called wealthy. My State will pay its proportional amount of the additional aid. But I believe that the proper theory of the Government is that the Nation must be looked upon as a unit and, while recognizing the various States in their individual sovereignty, that we ought not to build the territorial boundaries so high that a citizen in Ohio is not interested in what is done over in Indiana, or a citizen in the northern section is not interested in what is done in the southern section, or a citizen in the East loses his interest in the far West. In other words, the Government must be looked upon as an entity, and the people of Ohio must be interested in the people of the furthest sections of the country. The development of any section that is yet undeveloped is not confined in its interest to the people who live in that section where it is being developed, but extends to all parts of the country, old as well as new.

I think that our policy, inaugurated some time ago, of giving Federal aid to all the States, not only in the way of road building, but also in the way of general improvements, and in the way of education, is a policy that is wise. There is no doubt that it is a definite policy that is not to be abandoned. I should hope that it would not be abandoned. Heretofore the objection to the policy was on the basis of State rights, for fear we would lose the local control.

However, that is avoided in all of our recent legislation looking to Federal aid. There is not, so far as I know, a single bit

of legislation for Federal aid that does not write into its terms the full control over the particular matter, outside of the mere application of the money. It is true that on the question of education we extend aid to the various States, but in the extension we write into the law that the application of it as to the courses taught, the subjects taught, the manner of teaching, all the things that appertain to the local interests, are left within the local authorities.

That is written within the law itself, so that I do not fear what many of our legislators fear, that this policy of Federal aid is denying the rights of the States. I think the rights of the States are conserved in the law itself. It is true that the appropriation of money out of the Treasury of the United States will carry with it some control of the money in its application. We all understand that, and in that sense we find it in road building. The thing I rose to state was that when we come to the improvement of roads it is not the interest of the States only through which the roads are being built, but it is the interest of the entire Nation.

To advert to what our friend the Senator from Iowa [Mr. BROOKHART] said a moment ago, I think the Senator left an inference of criticism of the policy of building of the transcontinental railroads. I do not think that policy was unwise. On the other hand, I think it was one of the wisest things the Nation has undertaken, for we all know that had it not been for the building of the transcontinental transportation lines we never would have developed the empire beyond the Mississippi. It was through that method that that wonderful empire was built up and developed; and while it is true that we voted 130,000,000 acres of land and we expended sixty millions of dollars in subsidy, yet what does that amount now mean when compared with what those States have developed since that day? I do not believe they would have developed had it not been for the policy that was inaugurated, and it seems to me that the policy now being criticized is a policy that really ought to be commended.

Mr. WADSWORTH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from New York?

Mr. FESS. Certainly.

Mr. WADSWORTH. I would ask the Senator, as I assume he has studied the question thoroughly, how long he thinks it will be necessary for the Federal Government to continue to spend \$75,000,000 a year for this purpose?

Mr. FESS. That is a matter which must be left to the judgment of the legislators.

Mr. WADSWORTH. Of course, there is no doubt about that.

Mr. FESS. Answering the question specifically, I can not say how long it may be and am not now able to state just how far the Government should go in aiding in the building of lateral roads. I think the Government without a doubt ought to extend Federal aid on all of the great trunk lines, from the interest of the whole people as a unit. When the trunk lines are completed how far we ought to go in the building of lateral roads is a question that I have not studied.

Mr. WADSWORTH. Can the Senator state how far we have gone in the building of trunk lines? Let us see if we can get some basis of common understanding.

Mr. FESS. We have the Lincoln Highway, which is fairly well completed, almost all of it by Federal aid. I do not know how many highways are in the course of construction, but we have not been at it very long in the matter of Federal aid to road building. We really have made wonderful progress. If you confine me to my own State, it is a remarkable achievement, because we have the State intersected with trunk lines in every direction. There is a line from Cincinnati to Cleveland known as the Three C's, and a line which runs through the State from Wheeling through Columbus and Springfield to Indianapolis, known as the National Highway, and these roads are named as Nos. 1, 2, 3, 4, and so on. Our State is intersected in every direction with trunk lines.

Mr. WADSWORTH. So, may I say, is the State of New York; but I notice they are still spending Federal money.

Mr. SWANSON. If the Senator will permit me, I desire to say that three-sevenths of this expenditure is confined to trunk lines by an amendment which was made to the law in 1921.

Mr. COPELAND. Mr. President, we on this side of the Chamber should be happy if we could hear the conversation which is proceeding on the other side of the Chamber.

Mr. SWANSON. I was simply informing the Senator from New York [Mr. WADSWORTH] that under the law three-sevenths of the Federal expenditure is confined to trunk lines by an amendment which was made to the law in 1921.

Mr. WADSWORTH. That is a little different conception of the situation than that which I have just received from the



Senator from Ohio [Mr. FESS], who said he believed it all ought to be expended on trunk lines. How far the Government should go in the construction of lateral lines he intimated he would consider later.

Mr. SWANSON. It depends to some extent on what may be considered trunk lines; but to insure that the money shall be spent on roads over which there is more or less interstate travel and not on roads which are confined to the local use, a provision was incorporated in the law requiring the approval of the Bureau of Roads in Washington of any project which was sought, so as to guarantee that the money would be spent on roads, one-half of the traffic on which, and generally more, was interstate. The States must furnish an amount equal to that provided by the Federal Government, and to insure that the money shall be spent on trunk lines we amended the law and provided that three-sevenths of the expenditure should be confined to such roads.

Then, as to other projects, where the State also furnishes one-half and the Federal Government furnishes one-half, to insure that the money shall be spent where there is a Federal interest involved, either in the way of star routes or the carrying of parcel post, it is required that there shall be the approval of the Federal road department to see that that purpose is accomplished.

Mr. STERLING. And if I may add a word to what the Senator from Virginia has stated, he referred to the fact that three-sevenths of the money which is appropriated must go to the construction of interstate roads; but the other four-sevenths must go to the construction of intercounty roads which are connected with or correlated with the interstate roads. That is according to the law of 1921.

Mr. FESS. Mr. President, probably I was not sufficiently explicit in my statement in reference to the trunk-line roads. I meant to say that I thought there was no doubt the Government should continue its aid until the main trunk lines are built. I do not mean to say that the Government should not aid in the construction of lateral roads, although I think that should be determined in part at least by the character of the territory through which the roads run. I am not saying that the Government should not aid in such construction, but I do not know how far we ought to go.

I will say to my friend from New York [Mr. WADSWORTH] that my position with reference to this legislation is that we are living in a time when we are now, and going to continue to, build roads; when we are never going to abandon them or permit them to be worn out and not be improved, or permit them to get into a worse condition than if they had not been built; in other words, we are establishing a basis of expenditure, and while it is heavy we are going on with it. When the roads shall have been built then it will be a problem as to how they are to be kept up. It seems to me that in road matters maintenance constitutes one of the main features, and that the roads ought to be maintained by the people who use them, which could be done very equitably.

I am, however, thoroughly opposed to the suggestion of the Senator from Iowa [Mr. BROOKHART] that all the work should be done by the Federal Government, and that we should cut out the State appropriations. I would not submit to that at all.

Mr. REED of Pennsylvania. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Pennsylvania?

Mr. FESS. I yield.

Mr. REED of Pennsylvania. What does the Senator from Ohio think of the other suggestion of the Senator from Iowa that the Federal taxing power should be used as an instrument of revenge by the States that conceive themselves to be injured?

Mr. FESS. I did not understand my friend from Iowa to say that, though it sounded very much that way. I do not think, however, he meant that. I, of course, would not indorse such a conclusion.

Mr. SWANSON. Mr. President, will the Senator from Ohio yield to me?

Mr. FESS. I yield.

Mr. SWANSON. If the Senator will permit me, in order to show the spirit of justice which is involved in the good roads law, when the Federal Government spends any money on a trunk-line road, as I understand—and I am sure I am right—the State has to agree to assume the obligation of keeping that trunk line in order for all time to come.

Mr. FESS. That is in the statute.

Mr. SWANSON. That is the law.

Mr. WADSWORTH. I am entirely aware of that; I have not criticized it.

Mr. SWANSON. The provision is contained in the law that after a road has been built the State must assume the obligation to keep it in as good order as when turned over to it. The State not only furnishes half the money, but it then agrees to keep the road indefinitely in the same condition in which it was when it was turned over to it. That provision has been in the law from the beginning, in order that we should not have roads built and then that they should be allowed to deteriorate.

It seems to me instead of complaining of the States shirking their duty, in view of the fact that frequently a trunk-line road is ten times more interstate than it is intrastate, the States are assuming a burden largely on account of the people in the large cities who own automobiles and who have the money and leisure to travel, and that, therefore, they ought not to complain. I know that in my State to keep up the roads where the Federal aid has been given requires the imposition of heavy taxes, and a great deal of money is spent for that purpose. When such roads have been built, as I understand the law, should the States fail to keep them up to the condition in which they are when turned over to them, the Federal Government can step in and prevent the expenditure of any more money on them. If we desire to develop this country, I do not know of a system which is better directed to that end than that adopted under the present road policy of the country.

Now let me make another suggestion to Senators who live in the large cities. At the time the road bill was passed we asked the Bureau of Roads in the Agricultural Department to estimate, so far as it could, the cost of transporting agricultural products from the farms to the places where they were shipped abroad, including even the charges to Liverpool. The bureau spent a great deal of time and made accurate estimates, which disclosed that on the average it cost more in the United States at that time to transport products from the farm to the shipping depot than it did to carry them to New York and other exporting points and even to Liverpool.

So it seems to me that this question is of such general interest that it would be unreasonable to expect the people who live along the line of these roads, which cost from thirty to forty thousand dollars and more per mile to build—and it now costs as much to build public roads as it does to build railroads under present conditions—to have their lands taxed in order to supply all road improvements. Such a policy would mean no road construction.

During the World War an estimate was made of the cost to build a road from Washington to Newport News, which was the export place for many of our troops and supplies. It was thought possible that if a road were built from Washington to Newport News the troops and supplies could be sent over that road more promptly than by means of the congested railroads. When the report came in it was ascertained that it would cost as much per mile, if not more, to build that road than it would cost to build a railroad.

Mr. WADSWORTH. Mr. President—

Mr. FESS. I yield to the Senator from New York.

Mr. WADSWORTH. The Senator from Ohio is very generous and courteous in the matter of yielding. I might say that all this colloquy has apparently arisen from the fact that I addressed a question to the Senator from Ohio to this effect: How long did he think it would be necessary for the Federal Government to appropriate money at the present rate? I have not criticized the system or the principle involved in it, but I have not received an answer or anything like an answer to my question. The Senator from Virginia mentioned the immense benefit to the farmer.

Mr. BROOKHART. Mr. President—

Mr. WADSWORTH. Just a moment, please—the Senator from Virginia mentioned the benefit which the farmer received from an improved road which may be built past his farm, enabling him to get his products to the shipping station much more cheaply. That is true, in my judgment; but the Senator from Iowa says that a hard road is a nuisance to the farmer. Now, I should like to have that difference straightened out.

Mr. SWANSON. I think that—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Virginia?

Mr. FESS. I yield to the Senator for a statement.

Mr. SWANSON. I feel that the Federal Government ought to bear its part of the burden, and the State government ought to bear its part of the burden.

Mr. WADSWORTH. I have not denied that.

Mr. SWANSON. I am not in favor of a policy which would invoke the aid of the Federal Government when certain States might be enriched by the use of its power, and then, when it



comes to developing other portions of the country, invoke State rights to prevent the use of funds that ought to be distributed for national development.

Mr. WADSWORTH. I can not see why the Senator from Virginia has addressed those remarks to me with such emphasis. I have not said anything that would evoke such an observation from him. I am merely asking, How long do Senators believe that this series of appropriations shall continue? That is all I have asked.

Mr. SWANSON. So far as I am concerned, I have said they ought to be continued until the road system of this country is developed.

Mr. WADSWORTH. How long will that be?

Mr. SWANSON. I can not tell. It will depend upon how much the Federal Government will give and how far it will go to bear its part of the burden.

Mr. FESS. Mr. President, the question of the Senator from New York [Mr. WADSWORTH] is clear-cut and very difficult to answer satisfactorily to him or to me, for nobody knows how far we are going, and no one knows as yet what is the measure of the necessities of the case.

Mr. WADSWORTH. Then, may I interpose another suggestion or question?

Mr. FESS. I yield to the Senator.

Mr. WADSWORTH. Has anyone in public authority drawn up a map of roads to be improved by Federal aid and by the States which will display to the Congress the plan toward which we are building?

Mr. FESS. There is such a map, but it is not a completed plan so as to indicate that when all the road projects shall be developed there will be nothing more to be done.

Mr. WADSWORTH. Why is it not completed?

Mr. FESS. I presume merely because we have a hit-or-miss policy in road building.

Mr. WADSWORTH. That is just what I was about to complain of. I am glad that that admission has come from the lips of the Senator from Ohio, rather than from mine; otherwise, I would have had addressed to me with considerable emphasis some observations by the Senator from Virginia.

Mr. FESS. I hope the Senator from New York will recognize that whenever he speaks, because of the fact that he never speaks merely to be heard but always says something, he brings a "rise" out of many Senators.

Mr. President, I can state in just a minute my view of the pending legislation. I will not support the amendment of the Senator from Pennsylvania [Mr. REED] because it is contrary to the policy that we have now in vogue. I will support the bill as originally reported and now before the Senate because it is in harmony with that policy, and I will support it with the same interest that I would have in voting a tax upon the rich man to help educate the children of the poor man. In other words, that is the basis of our nationalization to-day. We make the wealthy State, in proportion to its wealth, help do the thing that ought to be done for the welfare of the entire Nation without much regard for State lines. We also require the wealth-producing element that pays the taxes to educate the children of those who do not pay taxes just the same as the children of those who do pay taxes. That is really the penalty that is attached to being a rich man or a rich State.

Mr. REED of Pennsylvania. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Pennsylvania?

Mr. FESS. I yield to my friend.

Mr. REED of Pennsylvania. If the thought which the Senator has just expressed is to be accepted literally, why does not the Senator propose that all road costs throughout the United States shall be borne by Federal taxation? Why draw the line at \$75,000,000? Why not make it ten times that amount?

Mr. FESS. We draw the line on the amount with special reference to the Treasury.

Mr. REED of Pennsylvania. It seems to me that our taxing power could extort more money than we do and devote it to road maintenance.

Mr. FESS. It could, but I think it would be very unwise to do it.

Mr. REED of Pennsylvania. Does the Senator realize that of the taxes on individual incomes which the United States is now levying 10 per cent goes to this particular item of appropriation which the Senate is asked to pass offhand and without very much consideration?

Mr. FESS. The Senator from Ohio was informed a while ago that it was about that proportion, but I doubt whether there is any appropriation that will yield greater benefit than that which goes into the building of good roads.

Mr. REED of Pennsylvania. It has not been observed, perhaps, with regard to this particular Federal expenditure that the efficiency of Federal operation is impaired as its scope is unduly enlarged, and the efficiency of State governments is impaired as the States relinquish and turn over to the Federal Government responsibilities which are rightfully theirs. I am opposed to any expansion of these subsidies. My contention is that they can be curtailed with benefit both to the Federal and State Governments. Does the Senator agree with that?

Mr. FESS. I think it is an unfortunate fact that as the expenditure of money is increased inefficiency creeps in; that ought not to be the case, but it seems to be the rule. I also admit the statement that every encroachment of the Federal Government upon the States will interfere somewhat with State sovereignty; I admit that.

Mr. REED of Pennsylvania. Does the Senator think that these particular appropriations can be curtailed with benefit to both the Federal and the State Governments?

Mr. FESS. The Senator from Ohio believes that road-building is one of the great necessities of our time. The automobile has compelled it; the automobile has entirely changed not only our industrial but our social life, and we have to live in the time in which we are living. We can not live 10 years ago.

Mr. REED of Pennsylvania. Certainly; and we need proper police protection, and we need proper sanitation, and we ought to have our streets swept; but does the Senator think that the Federal Government ought to do those things?

Mr. FESS. The Federal Government should attend to the things which pertain to sanitation, provided the State does not do it. We do that right along. We do it in cases where the health of the country under quarantine requires it.

Mr. REED of Pennsylvania. Would the Senator advocate an extension of these authorizations for more than 2 years? Would the Senator be willing to authorize \$82,500,000 for the next 10 years, instead of each of the next 2 years?

Mr. FESS. The Senator is of opinion that the time is to be determined wholly by the amount of work to be done. We are just now talking about a public buildings bill to extend over 10 years. I shall not vote against it because the time is 10 years. If we need it, that is the thing to do.

Mr. REED of Pennsylvania. What plan, what definite outline of the work to be done, has the Senator seen which warrants him, in his judgment, in voting for this bill as it stands?

Mr. FESS. The only basis on which I vote for the bill is my observations on the need of road building, some of it in my own State, others of it in the western sections of the country. I am convinced that we are making no mistake in this particular bill. I know how my friend from Pennsylvania feels about it, and there are many Senators here who take the same view, and I not only have great respect for their judgment but I have considerable sympathy for their view with regard to the thing they want to avoid; but I do not believe that the danger they see in this bill is inevitable. On the other hand the roads will not be built for the sake of the people—and they ought to be built—unless aid is given to the States by the Federal Government.

Mr. WILLIS and Mr. ODDIE addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. FESS. I yield to my colleague.

Mr. WILLIS. Mr. President, I desire to ask my colleague whether, from his long experience in another body, he recalls when the original act for Federal aid was passed?

Mr. FESS. I think it was in 1916—a very brief time ago.

Mr. WILLIS. That is my recollection. Then that policy has been in effect some eight or nine years. I want to suggest to my colleague, then, if it has been found unwise—which I do not agree to at all—but if it has been found unwise, having been established as it has been for some eight or nine years, instead of changing the policy piecemeal, as proposed in the amendment offered by the Senator from Pennsylvania, if we are to change it, we ought to set some time in the future after which this policy would be abandoned. It seems to me it would be unwise to kill it indirectly by reduced appropriations.

Mr. FESS. I am in thorough accord with what my colleague says. As to the time at which we should discontinue this work, that is not now within the province of the Senate. I recall when the original bill was before another body that it did not carry



a large appropriation and there was a terrific storm brewing because of that appropriation, and before I left that body I voted for \$140,000,000 for one year for this purpose because it was thought this was a policy that was wise, and why not do it now?

Mr. CARAWAY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Arkansas?

Mr. FESS. I yield to my friend from Arkansas.

Mr. CARAWAY. I should like to ask the Senator from Ohio if the wisdom of the policy has not been justified by reason of the fact that practically 90 per cent of the construction of hard roads has been had under this policy? It gave such an impetus to the building of roads that we have accomplished in that short time what it had taken all the years before to do.

Mr. FESS. I thank my friend for the statement. I am not aware of the figures. I will say to my friend from Arkansas, however, that I do know that the department here has limited Federal aid in my State to trunk lines and also to hard-surfaced roads.

Mr. CARAWAY. But it has been a tremendous stimulus to the building of roads in other States.

Mr. FESS. It certainly has.

Mr. ODDIE and Mr. COPELAND addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield, and if so to whom?

Mr. FESS. I yield to the Senator from Nevada, who was up a moment ago.

Mr. ODDIE. Mr. President, a few minutes ago an observation was made about the possible continuation in years to come of Federal aid, including forest-reserve roads. Yesterday I made some comments on Federal aid, and stated very plainly that I am in favor of this bill going through as it is; but I want to say that, as a matter of good business, it is wise for this Government to continue for many years its policy of building roads in the forests, because in those forests are hundreds of millions of dollars' worth of standing timber. We know that in the last year forest fires did terrific damage in the Western States, and that by the extension of this system of roads through the forests the danger from fires will be constantly lessened.

Here we have hundreds and hundreds of millions of dollars' worth of standing timber in our magnificent forests. The obligation is on us to protect those forests. Those forests control the water in our rivers. If those forests are destroyed the floods will come, and incalculable damage will be done. As a matter of protection, Mr. President, we should continue the policy of building roads in our national forests for a long time to come, and I hope we can also continue the policy of Federal aid as now applied to the highways of the country.

Mr. FESS. I want to say to my friend from Nevada that that is another question, and I am very strongly in favor of it. I should like to remind him that for the last three weeks I have been living in the books of John Muir, who, before he died, made very clear the wonderful richness of the forests of the western country. Anyone who is familiar with that remarkable career does not need any argument as to the preservation of our forests; and I will join the Senator in anything that is reasonable in building roads in the forests, especially in the parks, where they are so much required.

Mr. SIMMONS. Mr. President—

Mr. FESS. I yield to the Senator from North Carolina.

Mr. SIMMONS. The Senator has very correctly said, as I think, that the automobile has contributed very largely to arousing present interest in highway construction. The two things that, to my mind, have made this an era of good-road building are the advent of the automobile and Government aid in the construction of such highways as are interstate and national in character or coordination.

Mr. FESS. I agree with the Senator.

Mr. SIMMONS. I want to ask the Senator this question: Does he not think that as a result of the Federal aid in this behalf and of the advent of the automobile, the great trunk-line highways of this country have been practically nationalized?

Mr. FESS. That is my idea.

Mr. SIMMONS. They have ceased to be local roads; they have ceased to subserve the interests only of the community or the States through which they run, and they have become as distinctively national in their use and the results of that use as our railroads have become nationalized by reason of the fact that they penetrate more than one State.

Mr. FESS. That is my view precisely; and their value is more than simply profit.

Mr. SIMMONS. No longer, therefore, are State highways of the character of those accorded Government aid mere

local or State instrumentalities for communication, travel, and transportation.

The trunk highways that extend from the great cities of the North and East southward as far as Florida are being increasingly patronized not only by those who annually, at certain seasons, change their residence temporarily for reasons of health or pleasure from the northern to the southern section of our country and vice versa, and those who come and go in the line of business and commercial intercourse between these sections.

Mr. FESS. I will say to my friend that a day's stay in any section of Florida to observe the license tags of the automobiles would show any number of Ohio cars there to-day.

Mr. SIMMONS. Undoubtedly. At certain seasons of the year, in many of the States through which these great trunk lines to which I have referred run, you would probably be able, in a given time, to count as many automobiles from the outside as from inside of the State of observation.

Mr. FESS. Without a doubt.

Mr. SIMMONS. This condition of interstate use of these highways is only in its infancy, so to speak. It has just begun. It is rapidly increasing, and the time is not far distant when those great trunk highways will be used as regular lines of long-distance motor bus and truck transportation, running on regular schedules, just as they now are run in and around the larger cities and towns.

Mr. FESS. Mr. President, I am very much obliged to the Senator from North Carolina for his very pertinent remarks, and I yield the floor.

Mr. SIMMONS. Mr. President, that much with reference to the nationalization of our highways. When we adopted as a national policy the principle of Government cooperation in the construction of interstate highways, we justified our action upon the ground of Government need and use of these highways not only for the distribution of the mails but for military purposes as well. At that time the use of those highways by the Government was insignificant in extent as compared with the extent of their use at this time. Then we had little more than a few rural routes, and the old star-route system of distributing the mails outside of the cities and the towns. To-day the uses of those highways by the Government have been multiplied many times.

The parcel-post distribution in rural districts has become a governmental undertaking of enormous proportions. It gives the mails the nature of rural and interurban freight carrier. It includes the distribution by Government of all parcel packages offered to the mails of more than a few ounces and of less than 70 pounds, and it can be truthfully said that to-day as a result of the enormously expanded use by the Government of the public highways in the several States; a use that will continue to grow as the years go by, the Government has become not only one of the most extensive users of these highways but is one of the largest contributors to their annual deterioration; that is, say the costs of maintenance are greatly increased as a result of constant use of the roads by the Government in carrying on the great business of distributing the mails to those who live in the rural districts, and who comprise one-half of the population of this country.

Neither the law nor the pending bill require the Government to contribute to the construction of purely local roads, but to contribute only to the construction of such roads as it uses itself in times of peace for the purpose of carrying and distributing the mails, and in times of war for the purpose of mobilizing its soldiers and instruments of war, and I submit that under existing circumstances there can be no good grounds for the contention that the Government is under no obligation to assist the States in the construction of these trunk highways.

There is no element of invasion of State rights in the principle or application of this law. The Federal Government leaves everything in connection with the construction of these roads under the control and supervision of the States, except as to one matter which is written into the law, namely, question of deciding whether the road about to be constructed by the State conforms to the condition precedent imposed by the Government to the supplying of this money, that condition being that it shall be a part of an interstate system or be coordinated with such a system. That is the only question in the decision of which Government concurrence is necessary, and that is as it should be. That condition to Government aid and contribution does not infringe upon the rights of the States at all.

The very first time this legislation was proposed in the Congress that question was raised, and the same objections now urged were made. The present contention was then thoroughly thrashed out. We adopted the established policy, and it has brought most excellent results. Yet, every time it



becomes necessary to make another appropriation in this behalf, the same alleged constitutional objection is raised against it. The same constitutional objection might be raised against a number of activities of the Government for which we are appropriating the money of the people every year, but it is not done. This is the only appropriation whereby the Government supplies funds in cooperation with the States, in the consideration of which this question is constantly brought up, and Senators, especially from the southern section of the country where the doctrine of State rights has always had lodgment, are taunted with the imputation that in asking and accepting this assistance from the Government we repudiate the theory of State rights as immemorably advocated by the dominant element in that section of country.

Mr. President, that constant reiteration of this objection, that constant thrusting of such argument into the consideration of every appropriation for this purpose, generally comes from a section of the country which insists that because the people there contribute more money to the Federal Treasury, because of their greater wealth, they are required to contribute unduly in the construction of highways in less favored States of the South and West.

The Senator from Ohio [Mr. Fess] has very correctly said that the possession of great wealth in this world carries with it an increased obligation to contribute to those things which make for the betterment of the country in which one lives and of humanity generally. Those sections of the country do not contribute any more than their just proportion, according to their wealth, and their duty to pay their just proportion not only extends to the enterprise concerning which we are now talking, but it extends to all the expenditures of the Government.

We are constantly reminded that one or two enormously rich States pay a larger part of the Federal income from taxation than a number of the States in the West and the South, which enjoy equal benefits under this legislation, and that these poorer States enjoy these benefits at their expense.

Mr. President, the great State of New York is the richest State in this Union. The great city of New York is the richest city in this Union. It is the richest city in the world. Yet a mere fraction of the wealth of that great city comes out of the activities and the resources of the State in which it is located. It is a mighty reservoir of wealth, but the streams that empty into that reservoir have their origin in every part of this Union, flow through every State in this Union, and empty their precious contents into that great national and international metropolis.

New York is the great center of commerce and finance in this country, as well as the great center of wealth. There is no city in the United States that comes as near tapping all the sources of national wealth as does the imperial city of New York. There is therefore no city in this country as much interested in the prosperity, development, and the growth of every section of this Union as is the city of New York, or that owes as much of its prosperity to the other sections of the country as does New York.

The development of the resources of my State, North Carolina, through road construction or other internal improvements, of course benefits our local cities, towns, and communities, but a large part of the benefit of that development and the consequent growth in wealth and prosperity goes also to swell the commercial greatness and the financial supremacy of the city of New York.

Mr. BINGHAM. Mr. President, there are two things which have been brought up within the last few minutes of debate to which I should like to call the Senator's attention. In the first place, I do not represent one of the great, rich States to which he refers. In the second place, I do not happen to represent one of the Southern States, to which he refers as having always maintained the doctrine of State rights. But the State which I represent has always been interested in the doctrine of State rights and State sovereignty, and has maintained it from the beginning until the present time.

In the debate which has been taking place on the floor within the last few minutes one point has been brought out which seems of very great importance, namely, the point brought out by the Senator from Ohio in regard to breaking down State lines.

I would like to call the attention of all those who are interested in State sovereignty to the fact that the Senator from Ohio, in arguing against the amendment presented by the Senator from Pennsylvania, stated that he was opposed to it because he was in favor of breaking down State lines. In regard to anything where the States did not behave themselves

he believed that the Federal Government should make them behave themselves, whether it was in road building or in education.

That is totally different from the question in regard to Federal-owned forest roads, to which there is no objection at all.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had concurred in Senate Concurrent Resolution No. 3, providing for the printing of the report of the United States Coal Commission, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had concurred in Senate Concurrent Resolution No. 28, providing for the reenrollment of the bill (S. 3622) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Bayou Bartholomew at each of the following-named points in Morehouse Parish, La.: Vester Ferry, Ward Ferry, and Zachary Ferry, with amendments.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4294) for the relief of the heirs of Casimira Mendoza.

The message also announced that the House had agreed severally to the amendments of the Senate to the following bills of the House:

H. R. 646. An act to make valid and enforceable written provisions or agreements for arbitration of disputes arising out of contracts, maritime transactions, or commerce among the States or Territories or with foreign nations;

H. R. 5420. An act to provide fees to be charged by clerks of the district courts of the United States;

H. R. 6860. An act to authorize each of the judges of the United States District Court for the District of Hawaii to hold sessions of the said court separately at the same time;

H. R. 8206. An act to amend the Judicial Code and to further define the jurisdiction of the circuit courts of appeals and of the Supreme Court, and for other purposes;

H. R. 8369. An act to extend the period in which relief may be granted accountable officers of the War and Navy Departments, and for other purposes; and

H. R. 9461. An act for the relief of Lieut. Richard Evelyn Byrd, jr., United States Navy.

The message further announced that the House had adopted the following concurrent resolution (H. Con. Res. 43), in which it requested the concurrence of the Senate:

*Resolved by the House of Representatives (the Senate concurring), That there shall be compiled, printed, and bound, as may be directed by the Joint Committee on Printing, 4,000 copies of a revised edition of the Biographical Congressional Directory up to and including the Sixty-eighth Congress, of which 1,000 copies shall be for the use of the Senate and 3,000 copies for the use of the House of Representatives.*

#### EXECUTIVE SESSION

The PRESIDENT pro tempore. The hour of 3 o'clock having arrived, in pursuance of an agreement already entered into, the Senate will proceed to the consideration of executive business. The Sergeant at Arms will clear the galleries and close the doors.

The Senate thereupon proceeded to the consideration of executive business. After two hours spent in executive session the doors were reopened.

#### NOMINATION OF HARLAN FISKE STONE

During the executive session this day, Mr. OVERMAN having moved that the Senate proceed in open executive session to the consideration of the nomination of Harlan Fiske Stone to be Associate Justice of the Supreme Court of the United States, the Presiding Officer (Mr. MOSES in the chair) ruled that a motion to consider a nomination in open executive session involves such a change in the rules of the Senate as to require a two-thirds vote to sustain it; and Mr. WALSH of Montana having taken an appeal from this ruling, the yeas and nays were ordered, and the roll call resulted—yeas 48, nays 36, as follows:

#### YEAS—48

Ball	Fess	McCormick	Reed, Pa.
Bingham	Glass	McKinley	Shields
Borah	Gooding	McLean	Shortridge
Bursum	Hale	McNary	Smoot
Cameron	Harrell	Means	Spencer
Capper	Howell	Metcalf	Stanfield
Curtis	Johnson, Calif.	Norbeck	Sterling
Dale	Jones, N. Mex.	Oddie	Wadsworth
Edge	Jones, Wash.	Overman	Warren
Edwards	Keyes	Pepper	Watson
Ernst	King	Phipps	Weller
Fernald	Ladd	Ransdell	Willis



## NAYS—36

Ashurst	Dill	Kendrick	Simmons
Bayard	Ferris	McKellar	Smith
Brookhart	Fletcher	Mayfield	Stanley
Broussard	Frazier	Neely	Swanson
Bruce	George	Norris	Trammell
Caraway	Gerry	Pittman	Underwood
Copeland	Harris	Reed, Mo.	Walsh, Mass.
Couzens	Heflin	Sheppard	Walsh, Mont.
Dial	Johnson, Minn.	Shipstead	Wheeler

So the decision of the Chair stood as the judgment of the Senate.

The question was then taken on the motion of Mr. OVERMAN to consider the nomination in open executive session. The yeas and nays having been ordered, the roll call resulted—yeas 60, nays 27, as follows:

## YEAS—60

Ashurst	Fernald	Jones, N. Mex.	Reed, Mo.
Ball	Ferris	Jones, Wash.	Sheppard
Bayard	Fletcher	Kendrick	Shields
Borah	Frazier	Ladd	Shipstead
Brookhart	George	McKellar	Simmons
Broussard	Gerry	McKinley	Smith
Capper	Glass	McLean	Stanley
Caraway	Gooding	McNary	Sterling
Copeland	Hale	Mayfield	Swanson
Couzens	Harris	Means	Trammell
Cummins	Harrison	Neely	Underwood
Curtis	Heflin	Norris	Walsh, Mass.
Dial	Howell	Overman	Walsh, Mont.
Dill	Johnson, Calif.	Pittman	Wheeler
Ernst	Johnson, Minn.	Ransdell	Willis

## NAYS—27

Bingham	Fess	Norbeck	Spencer
Bruce	Harrell	Oddie	Stanfield
Bursum	Keyes	Pepper	Wadsworth
Cameron	King	Phipps	Warren
Dale	McCormick	Reed, Pa.	Watson
Edge	Metcalf	Shortridge	Weller
Edwards	Moses	Smoot	

So, two-thirds of the Senators present and voting being recorded in the affirmative, Mr. OVERMAN's motion was agreed to.

## RECESS

On motion by Mr. CUMMINS, and by unanimous consent, the Senate (at 5 o'clock p. m.) took a recess until to-morrow, Thursday, February 5, 1925, at 12 o'clock meridian, then to proceed to the consideration of Mr. Stone's nomination in open executive session.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, February 4, 1925

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Holy Spirit, the source of earthly comfort and the unfailing guide of man, hear us as we humbly bow in Thy presence; receive and accept the offerings of our grateful hearts. May we lift up our souls in the light and glow of Thy great heart. We thank Thee that there is a power in the world, not of ourselves, that makes for righteousness and intelligence. Thy wisdom is above price and more to be desired than gold, yea, than much fine gold. Day by day may we have a more perfect revelation of the breadth and the length, of the height and the depth, of that love and knowledge which are beyond the understanding of man. Lead us, O Lord, to labor for the expansion and for the enrichment of our national ideals. Remember the afflicted ones of our homes and bless abundantly the absent members of our firesides. In the name of Jesus, our Saviour and Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

## BRIDGE ACROSS THE BATOU BARTHOLOMEW, LA.

The SPEAKER laid before the House the following Senate concurrent resolution.

The Clerk read as follows:

## Senate Concurrent Resolution 28

*Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and of the President pro tempore of the Senate in signing the enrolled bill (S. 3622) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Bayou Bartholomew at each of the following-named points in Morehouse Parish, La.: Vester Ferry, Ward Ferry, and Zachery Ferry, be rescinded, and that the Secretary of the Senate be, and he is hereby, authorized and directed to reenroll the bill with the following amendments:*

In line 3 of the enrolled bill strike out "Polish" and insert "Police."

Amend the title so as to read: "An act granting the consent of Congress to the police jury of Morehouse Parish, La., or the State Highway Commission of Louisiana to construct, maintain, and operate a bridge across the Bayou Bartholomew at each of the following-named points in Morehouse Parish, La.: Vester Ferry, Ward Ferry, and Zachery Ferry."

Attest:

GEORGE A. SANDERSON,

Secretary.

The resolution was agreed to.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 64. An act to amend section 101 of the Judicial Code as amended; and

H. R. 8206. An act to amend the Judicial Code, and to further define the jurisdiction of the circuit court of appeals and of the Supreme Court, and for other purposes.

The message also announced that the Senate had passed bill and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4059. An act to provide for an additional Federal district for North Carolina; and

S. J. Res. 179. Joint resolution to amend section 10 of the act entitled "An act to establish the upper Mississippi River wild-life and fish refuge."

The message also announced that the Senate had passed the following resolution:

*Resolved*, That the House of Representatives be requested to return to the Senate the bill (S. 1639) entitled "An act to authorize the appointment of stenographers in the courts of the United States and to fix their duties and compensation."

## SENATE BILLS AND JOINT RESOLUTION REFERRED

Under clause 2, Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4059. An act to provide for an additional Federal district for North Carolina; to the Committee on the Judiciary.

S. 2424. An act to reduce fees for grazing livestock on national forests; to the Committee on Agriculture.

S. J. Res. 179. Joint resolution to amend section 10 of the act entitled "An act to establish the upper Mississippi River wild-life and fish refuge"; to the Committee on Agriculture.

## HYPOCRISY OR "LAW ENFORCEMENT"

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent to insert a speech I made at the enlightenment dinner, Hotel Astor, New York City, February 2, 1925.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'CONNOR of New York. Mr. Speaker, under the leave granted to extend my remarks I insert a speech delivered by myself at the enlightenment dinner at the Hotel Astor, New York City, February 2, 1925, which is as follows:

Mr. Toastmaster, distinguished guests, ladies, and gentlemen, this gathering, to my mind, has not only been inspired, but provoked—provoked by a certain gathering recently held in this law-abiding metropolis, at which hypocrisy was served at every course and then poured forth in copious libations under the guise of after-dinner speeches.

The promoters of that much-heralded dinner enjoyed their own concoctions so much that they stayed for breakfast, except that the meal of the morning after the night before was served in a very spacious and ill-white mansion near the Potomac. There they disclosed to official authority the secret formula of their brew—"enforcement." "Enforcement" of what? Of all laws? Oh, no. Of one.

Let us digress to recall who were the distinguished guests who graced that festive board. Does the list not suggest to you a joint meeting of the board of directors of the great "interests" so called? For fear the average reader might not identify the individuals who illuminated the gathering, the press unanimously identified them as "chairman of the board of directors" or "president" or what not of certain gigantic businesses—steel, oil, mines, etc. Were any such overlooked? Does anyone recall, however, it having been recorded that John Jones, the average law-abiding citizen, or Tom Brown, the shopkeeper, or Jim Green, the artisan, or any of their friends or associates were present?

Permit me to inquire, in no facetious manner, whether the spokesmen on that occasion really represented the law-abiding element of our community in the sense of any zeal for the observance of all the